

AGENDA

COMMITTEE ON LANDS AND BUILDINGS

May 1, 2006
Aldermen Thibault, Smith,
Forest, Roy, Long

5:00 PM
Aldermanic Chambers
City Hall (3rd Floor)

1. Chairman Thibault calls the meeting to order.
2. The Clerk calls the roll.
3. Communication from Attorney Brad Cook on behalf of the 1902 Fire House Trust requesting to purchase, renovate and maintain the Weston Fire Station.
Assessors – recommend outside fee appraisal;
Planning – requesting further time to review and study; and
Tax Collector – no interest as it is not a tax-deeded parcel.
Gentlemen, what is your pleasure?
4. Communication from Chuck DePrima, Deputy Director of Parks, Recreation and Cemetery, requesting consolidation and lot line adjustment of property of David Larivee (Map 315, Lots 8 & 9) and City of Manchester (Map 314, Lot 7-A).
Assessors - value of both parcels relatively equal and is a fair swap;
Planning - recommends 4,366 sf (parcel "A") be declared surplus, however, land swap would be inappropriate; and
Tax Collector –no interest as it is not a tax-deeded parcel.
Gentlemen, what is your pleasure?

TABLED ITEMS

A motion is in order to remove all of the following items from the table for discussion.

5. Communication from Attorney Michael Kasten, on behalf of Steve and Anna Sacco, proposing to enter into a Boundary Line Agreement with the City for property located at West Shore Avenue and Bodwell Road abutting Crystal Lake.
(Note: Tabled 4/18/2005 pending review by Alderman DeVries. Alderman DeVries has requested this item be received and filed.)

6. Discussion of area for dog park.
(Note: Tabled 4/18/2005 pending submission of formal layout for the dog park and lease agreement.)
7. Communication from Russel Johnson, PSNH, seeking authorization to place a padmount transformer and cement slab (8' x 8') approximately five (5) feet from the back of the Visitors Center at Veterans Park.
(Note: Tabled 7/19/2005 at the request of PSNH pending further discussions with Intown Manchester.)
8. Communication from Gerald Hebert, Sr., requesting to purchase Lots 246-3, 6 & 7 on Page Street between London and Bridge Streets.
(Note: Tabled 7/19/2005. Communications from the Board of Assessors and Planning enclosed.)
9. Communication from City Solicitor Clark enclosing a communication from the State of NH Department of Transportation requesting to purchase city land for the proposed Manchester Airport Access Road.
(Note: On 11/21/2005 referred to Airport requesting report back and requested Planning and Tax to determine whether or not property is surplus to city needs. Planning recommends it be determined surplus to city needs due to the unique circumstances involved noting the committee may find suitable public purpose for selling the property to the state.) (Tabled 02/21/2006)
10. Communication from Paul J. Borek, Economic Development Director, regarding the Ash Street School property on Bridge Street.
(Note: Tabled 11/21/2005 pending report of School Board action. Enclosed is a copy of a resolution adopted by the School Board on 12/12/2005. Report dated 02/15/2006 submitted by the Director of Planning and Community Development enclosed herein.)
11. Communication from Angelo Mazzella, General Manager of Manchester Wolves, requesting the use of the JFK Coliseum for practice sessions beginning the middle of March until the end of August.
(Note: referred to committee by CIP Committee on 12/19/2005.) (Tabled 02/21/2006 pending report from Parks, Recreation and Cemetery Department. Wolves have withdrawn request per Parks, Recreation and Cemetery Department.)
12. If there is no further business, a motion is in order to adjourn.

SHEEHAN
PHINNEY
BASS +
GREEN

PROFESSIONAL
ASSOCIATION



ATTORNEYS AT LAW

MANCHESTER
1000 ELM STREET
MANCHESTER, NH
03101
T 603 668-0300
F 603 627-8121

CONCORD
TWO EAGLE SQUARE
CONCORD, NH
03301
T 603 223-2020
F 603 224-8899

LEBANON
46 CENTERRA PARKWAY
LEBANON, NH
03766
T 603 643-9070
F 603 643-3679

BOSTON
ONE BOSTON PLACE
BOSTON, MA
02108
T 617 897-5600
F 617 439-9363

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Writer's Direct Dial
(603) 627-8110
Fax (603) 641-2343
bcook@sheehan.com

April 17, 2006

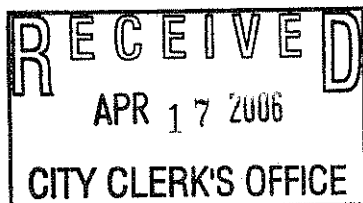
Honorable Frank Guinta, Mayor
City of Manchester
City Hall Plaza
Manchester, NH 03101

Re: Weston Fire Station (the old Station #10)

Dear Mayor Guinta:

This office represents the 1902 Fire House Trust, a New Hampshire real estate trust. In that connection, the Trust is interested in purchasing, renovating and maintaining the Weston Fire Station (the old Station #10) as residential property. The Trust hereby offers to purchase from the City of Manchester a lot, 215 feet by 215 feet, and the Weston Fire Station on the following terms:

1. *Price:* One Dollar (\$1.00) and the commitment to renovate the fire station into a residential use building contemplated to contain a single family residence. Further, extensive landscaping would be done to the building to make it a first class, attractive addition to the neighborhood which would produce taxes.
2. *Closing.* Closing on the purchase would be held on or before July 4, 2006.
3. *Site Security, Construction & Repairs.* Site security, construction and repairs would begin within one hundred twenty (120) days after closing.
4. *Certificate of Occupancy.* Certificate of occupancy would be sought within three (3) years.
5. *Bonus to the City.* A bonus to the City would be proposed whereby a condition would be placed on the premises that for every sale and title



change via deed, the City would be paid Twenty-five Thousand Dollars (\$25,000.00) on every sale from 2006 to 2050, Fifty Thousand Dollars (\$50,000.00) on every sale from 2050 to 2075 and One Hundred Thousand Dollars (\$100,000.00) on every sale from 2075 to the year 2100 at which point the city bonus program would end. This could be in excess of One Million Dollars over time.

6. *Property Taxes.* The City would commit to limit property taxes on the property to \$5,000 per year for twenty years, recognizing the value of the renovation to the City.
7. *Charity Events / Contributions.* The owners would agree to hold charity fundraisers in the premises showing off its historic nature for ten years or during their occupancy, whichever is sooner. These would benefit organizations supported by the United Way of Manchester, failing which the owners would pay Five Thousand Dollars (\$5,000.00) per annum to the United Way of Manchester as a donation should these fundraisers not be held or be impossible to hold.
8. *Other Conditions.* In connection with the purchase, the proposed owners would seek to identify the location of the fire poles which were previously in the building, would seek that the training facilities presently in the building would be removed and that any city or school district storage in the building would be removed prior to closing. In addition, the highway department has dropped the granite street curbing and would restore it to its normal height.

The principal of the 1902 Fire House Trust is an individual named Michael Duffy, who is a Manchester resident. He has arranged financial commitments and backing for this project. Obviously, this project would have several benefits to the City, namely, preservation of an historic building, an increase to the tax base, elimination of the costs of demolishing the building estimated to be \$100,000.00, replacing an eyesore in the neighborhood with an attractive, landscaped residential unit, proceeds from taxes, proceeds from the City Bonus listed above and other tangible and intangible benefits.

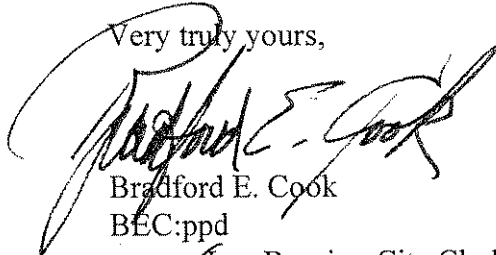
I would appreciate the opportunity to present this proposal to the appropriate city boards or commissions on behalf of our client and look forward to answering any questions you may have about it.

Honorable Frank Guinta, Mayor
City of Manchester
April 17, 2006
Page 3

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Please consider this an official offer to purchase the property and refer it to the appropriate parties.

Very truly yours,



Bradford E. Cook

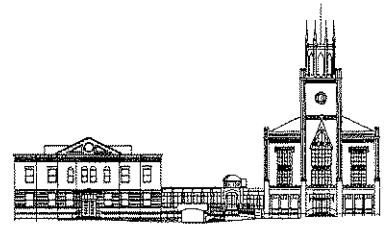
BEC:ppd

cc ✓ Leo Bernier, City Clerk
Michael Lopez, Chair, Board of Aldermen
Jerome Duval, Alderman, Ward 4



CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing
Manchester, New Hampshire 03101
Tel: (603) 624-6520 – Fax: (603) 628-6288
Email: assessors@ci.manchester.nh.us
Web: www.ManchesterNH.Gov



David M. Cornell, Chairman
Thomas C. Nichols
Stephan W. Hamilton

Christine Hanagan
Assistant to Assessors

To: Committee on Lands and Buildings
From: Board of Assessors *D.M.C.*
Date: April 25, 2006
Re: Request to Purchase the Weston Fire Station #10

Dear Committee Members:

The City has received a request to purchase the Weston Fire Station #10. In the request purchase, term number 6, it states, "The City would commit to limit property taxes on the property to \$5,000 per year for twenty years, recognizing the value of the renovation to the City." It is our understanding that the purchaser of this property is a for-profit real estate trust. As such, this property is taxable under RSA 75:1, which states that we are required to assess properties based on their market value. Therefore, the taxes paid would have to be based on the market value of the property, and not on a predetermined amount.

As part of the disposition process of City owned land the fair market value of a property must be established. The Board of Assessors recommends that the Committee order an outside fee appraisal pursuant to Section 34:19 of the Code of Ordinances.

We remain available to answer any questions that you might have in the matter.

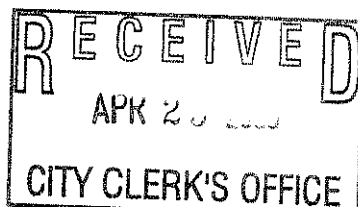
Respectfully submitted,

David M. Cornell
David M. Cornell

Thomas C. Nichols
Thomas C. Nichols

Stephan W. Hamilton
Stephan W. Hamilton

Cc: Attorney Brad Cook



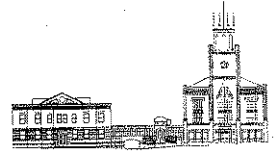


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

April 24, 2006

Committee on Lands and Buildings
City Hall
One City Hall Plaza
Manchester, NH 03101

re: *Sale of City-owned Weston Fire Station (TM 121, Lot 3)*

Honorable Committee Members:

For health and safety reasons, the Board of Mayor and Aldermen have recently decided to demolish the historic 1902 Weston Fire Station building and watch tower. Since that decision was made, the City has received a request from a private sector party expressing an interest in acquiring the Fire Station building and its associated 0.34 acre parcel of land, which is situated at the corner of Weston and Concord Streets. Their stated purpose in doing so is to renovate and maintain the historic structure as a single-family residential property. That offer included several provisions which we are currently studying.

We are also aware that, at the present time, there are other private sector entities who are interested in the potential rehabilitated and/or preserved uses for this property and who may also soon submit purchase offers to the City.

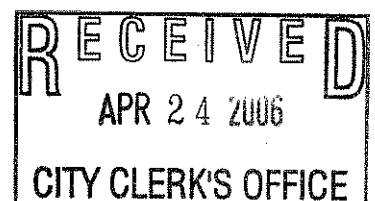
In view of the above noted private sector interest in the Weston Fire Station property, and also because of the City's practical need to establish what its own long-term needs are with respect to this property – which may be to retain the land for essential public purposes – we would like some further time to review and study this matter and report to the Committee.

If there are any questions, staff will be available at the committee meeting.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning and Community Development

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov



Weston Fire Station #10

WESTON ST.

Weston St.
T.M. #211 Lot:3
app. 14,973 sq.
(0.34 ac)

CONCORD ST.



City of Manchester
Office of the Tax Collector

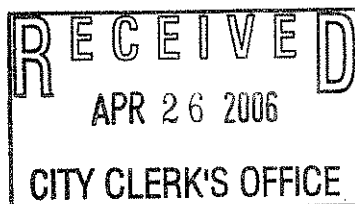
City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101
(603) 624-6575 (Phone)
(603) 628-6162 (Fax)

Joan A. Porter
Tax Collector

Memorandum

DATE: April 26, 2006
TO: Land & Building Committee
FROM: Joan A. Porter, Tax Collector
RE: Weston Fire Station

The above-referenced property is not a tax-deeded parcel
and as such the Tax Collector's office has no interest in its
disposition.





CITY OF MANCHESTER
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104-5491
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
(603) 624-6569 Fax

COMMISSION

Stephen Johnson, Chairman
Sandra Lambert, Clerk
George "Butch" Joseph
Michael Worsley
Dennis Smith
Ronald Ludwig, Director

April 13, 2006

The Honorable Board of Mayor and Alderman
City Hall
908 Elm Street
Manchester, NH 03101

**Re: Consolidation & Lot Line Adjustment Property of David Larivee, Map 315 – Lots 8 & 9
and City Of Manchester Map 314 Lot 7-A**

Dear Members of the Board:

We request that the Board of Mayor and Aldermen vote to transfer Parcel "A" 4,366 S.F. to David Larivee (Dave's Auto Center) and accept parcel "B" 2,071 S.F. This land swap will benefit the City by providing a continuous corridor (owned by the City in fee) for the Piscataquog Trailway and allow us to continue with subsequent phases of the Trailway.

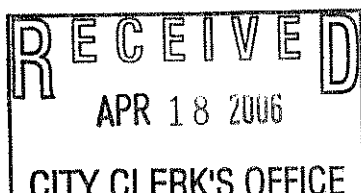
The Piscataquog Trailway phase-I project was completed in the fall of 2002. The initial trail project was constructed between I-293 to the property under consideration, which is just short of the South Main Street intersection. The City has been awarded another Transportation Enhancement (TE) grant for phase II. This project is currently under design and will continue westerly toward the Piscataquog River. The Phase III grants was also recently approved for FY-2007 and will include repair of the trestle bridge and connection to the planned Trailway in Goffstown.

The transfer has been approved by both the Manchester Planning Board & the State of NH Department of Transportation (see attached correspondence letters). We hope that you will consider the importance of this project and approve the acceptance & transfer of the above referenced parcels.

Best Regards,

Chuck DePrima, Deputy Director

Cc: Ronald E. Ludwig, Director
Thomas Arnold, Deputy City Solicitor
Ram Maddali, Project Manager NHDOT Bureau of Municipal Highways
Michael Pillsbury, Project Manager NHDOT Bureau of Municipal Highways





THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



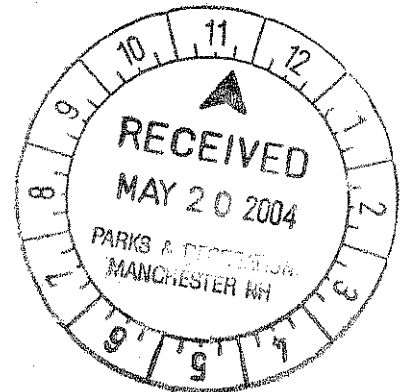
CAROL A. MURRAY, P.E.
COMMISSIONER

MANCHESTER
STP-TE-X-OOOS(270)
12275-A

Bureau of Municipal Highways
Room 150
Tel: (603)271-2171
Fax: (603)271-6382

May 19, 2004

Mr. Ronald Johnson, Deputy Director
City of Manchester
Parks, Recreation and Cemetery Department
625 Mammoth Road
Manchester, NH 03104



Dear Mr. Johnson:

It was a pleasure to meet with you today to discuss the transfer of a portion of the former Manchester and North Weare Railroad to Mr. Larivee in exchange for a another section of the former rail corridor currently owned by Mr. Larivee. I do appreciate your willingness to update Mr. Harry Kinter (FHWA) and me on the status of the project.

Mr. Kinter and I both agree that the proposed property exchange will greatly enhance the functionality of the trail. Please accept this letter as the Department's approval to proceed with the transfer.

If questions remain, please do not hesitate to contact me. I look forward to working with you on this worthwhile project.

Sincerely,

Michael P. Pillsbury, P.E.
Project Manager

cc: Harry Kinter, FHWA

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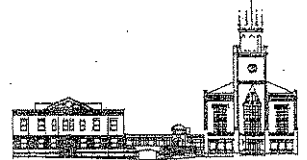


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

September 13, 2004

Steven B. Keach, P. E.
10 Commerce Park, North
Suite 3B
Bedford, N. H. 03110

Dear Steve:

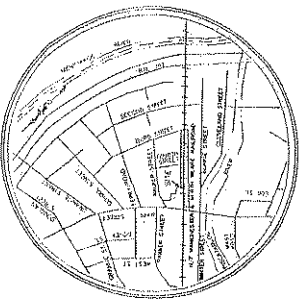
This is in regard to the lot line adjustment subdivision plan you submitted on behalf of David Larivee and the City of Manchester for property located at 116 South Main street.

The purpose of this letter is to provide notification that the Planning Board acted to grant approval of the subdivision application at a business meeting held on September 08th. Please coordinate the final subdivision plat with the surveyor, so that all appropriate notes are included, then submit two (2) mylar plans and three paper prints.

If I can be of further assistance please contact me.

Sincerely,

Terry L. Harlacher, AICP
Chief Planner



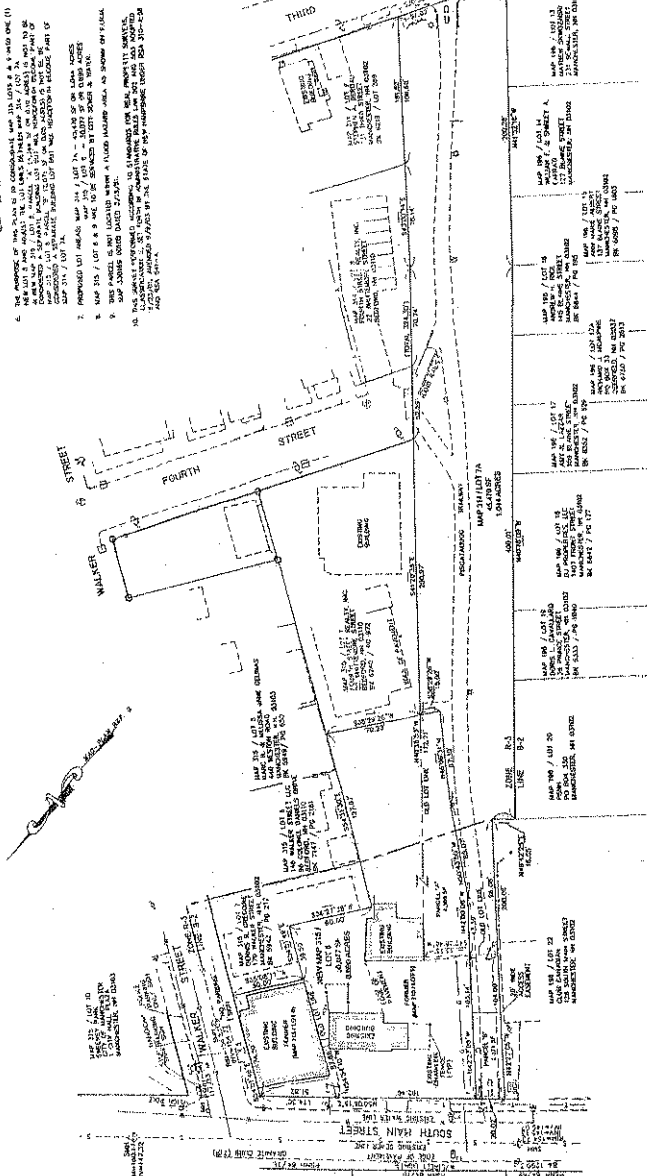
NOTES:

1. SURVEYED THESE PARCELS AS MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.
2. MAP 314 / LOT 7A & 9.
CITY OF MANCHESTER, NH
CITY ENGINEER
CITY PLANNING DEPT.
MANCHESTER, NH 03101
BY 1007 / PG 1009
3. TOTAL AREA - 1.07 ACRES.
MAP 314 / LOT 7A - 0.57 ACRES
MAP 315 / LOT 8 & 9 - 0.50 ACRES
MANCHESTER, NH 03101
BY 1007 / PG 1009
4. PARCELS ARE ZONED R-1 (RESIDENTIAL) AND R-2 (RESIDENTIAL).
MANCHESTER, NH 03101
BY 1007 / PG 1009
5. THE PARCELS ARE LOCATED WITHIN THE CITY OF MANCHESTER, NH.
MANCHESTER, NH 03101
BY 1007 / PG 1009
6. THE PARCELS ARE LOCATED WITHIN THE CITY OF MANCHESTER, NH.
MANCHESTER, NH 03101
BY 1007 / PG 1009
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MANCHESTER, NH 03101
BY 1007 / PG 1009
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MANCHESTER, NH 03101
BY 1007 / PG 1009
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MANCHESTER, NH 03101
BY 1007 / PG 1009
10. THE PARCELS ARE LOCATED WITHIN THE CITY OF MANCHESTER, NH.
MANCHESTER, NH 03101
BY 1007 / PG 1009

PLAN REFERENCES

1. MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.
2. MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.
3. MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.
4. MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.
5. MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.
6. MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.
7. MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.
8. MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.
9. MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.
10. MAP 314 / LOT 7A AND MAP 315 / LOT 8 & 9.

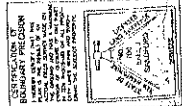
| LEGEND |
|-------------|
| 1. LOT 7A |
| 2. LOT 8 |
| 3. LOT 9 |
| 4. LOT 10 |
| 5. LOT 11 |
| 6. LOT 12 |
| 7. LOT 13 |
| 8. LOT 14 |
| 9. LOT 15 |
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| 89. LOT 95 |
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| 91. LOT 97 |
| 92. LOT 98 |
| 93. LOT 99 |
| 94. LOT 100 |



CONSOLIDATION & LOT LINE ADJUSTMENT PLAN
MAP 314 / LOT 7A & MAP 315 / LOT 8 & 9
CITY OF MANCHESTER, NH
DAVE'S AUTO CENTER
116 SOUTH MAIN STREET, WALKER STREET
CITY OF MANCHESTER, NEW HAMPSHIRE

SANDFORD
 557 NEW BOSTON ROAD, SUITE 200
 MANCHESTER, NH 03101
 TEL: (603) 477-2725 FAX: (603) 477-0800
 E-MAIL: SANDFORD@MANCHESTERNH.GOV
 WWW: WWW.SANDFORDNH.COM

SCALE: 1" = 40' DATE: 12/15/10



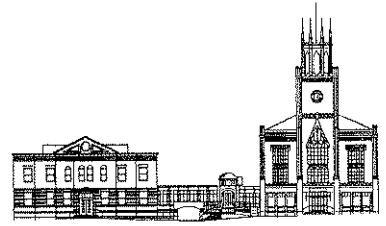
REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|----------|----------------|
| 1 | 12/15/10 | INITIAL DESIGN |
| 2 | 12/15/10 | REVISIONS |
| 3 | 12/15/10 | REVISIONS |
| 4 | 12/15/10 | REVISIONS |
| 5 | 12/15/10 | REVISIONS |
| 6 | 12/15/10 | REVISIONS |
| 7 | 12/15/10 | REVISIONS |
| 8 | 12/15/10 | REVISIONS |
| 9 | 12/15/10 | REVISIONS |
| 10 | 12/15/10 | REVISIONS |



CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing
Manchester, New Hampshire 03101
Tel: (603) 624-6520 – Fax: (603) 628-6288
Email: assessors@ci.manchester.nh.us
Web: www.ManchesterNH.Gov



David M. Cornell, Chairman
Thomas C. Nichols
Stephan W. Hamilton

Christine Hanagan
Assistant to Assessors

To: Committee on Lands and Buildings

From: Board of Assessors *D.M.C.*

Date: April 25, 2006

Re: Consolidation & Lot Line Adjustment, Map 315- Lots 9 and Map 314 Lot 7-A

Dear Committee Members:

We are in receipt of a request involving a land swap. Specifically, the City will transfer parcel "A" to David Larivee. Parcel "A" consists of 4,368 S.F. of back land that abuts Map 315 Lot 9. In exchange, the City will receive parcel "B". Parcel "B" consists of 2,071 S.F., and has road frontage on South Main Street.

The parcel of land that the City is receiving, parcel "B", is smaller than parcel "A", the parcel that the City is giving. However, parcel "B" does have road frontage on South Main Street. Therefore, the Board of Assessors is of the opinion that the value of both parcels is relatively equal, and that this is a fair swap.

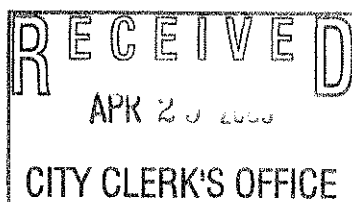
We remain available to answer any questions that you might have in the matter.

Respectfully submitted,

David M. Cornell
David M. Cornell

Thomas C. Nichols
Thomas C. Nichols

Stephan W. Hamilton
Stephan W. Hamilton





Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

April 24, 2006

Committee on Lands and Buildings
City Hall
One City Hall Plaza
Manchester, NH 03101

re: *Piscataquog River Trailway Land Swap – property of Larivee (TM 315, Lots 8 & 9) and City of Manchester (TM 314, Lot 7-A)*

Honorable Committee Members:

The City Parks Department has reached a tentative agreement with Mr. David Larivee (Dave's Auto Center) to swap small parcels of land along the Piscataquog River Trailway in order to facilitate the development of subsequent phases of the Trailway. Both parcels were once part of the ROW for the old Manchester and North Weare Railroad Line and were acquired by the respective parties from the State of New Hampshire, which retained approval rights over future transfers of ownership in the former railroad line.

The particulars of the proposed land swap are shown on a map exhibit entitled "*Consolidation and Lot Line Adjustment Plan, Map 314, Lot 7A & Map 315, Lots 8 & 9*". If approved by the Board of Mayor and Aldermen, the City would transfer to Mr. Larivee a 4,366 s.f. parcel which abuts his business off S. Main Street (parcel "A") and would, in turn, accept a 2,071 s.f. parcel from Mr. Larivee (parcel "B"). The land gained by Mr. Larivee would be consolidated into his abutting "Dave's Auto Center" property and the land gained by the City would specifically allow for the continued passage of the public footpath past Mr. Larivee's property.

Surplus Determination: Because the land swap has (a) been reviewed and approved by the NHDOT, (b) resolves a difficult Trailway passage issue, (c) brings the development of the Piscataquog River Trailway closer to final realization, and, thus, (d) serves an important public purpose, we recommend that the 4,366 s.f. owned by the City (parcel A") be declared surplus to City needs.

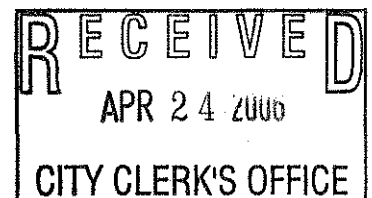
Manner of Sale: Given the equitable reasonableness and the overall benefits to the City of the above land swap, I believe that approval of the proposed land swap would be inappropriate.

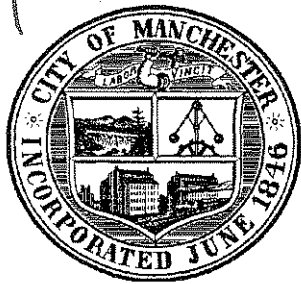
If there are any questions, staff will be available at the committee meeting.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning and Community Development

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





City of Manchester
Office of the Tax Collector

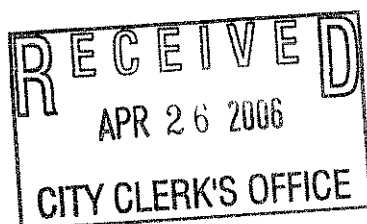
City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101
(603) 624-6575 (Phone)
(603) 628-6162 (Fax)

Joan A. Porter
Tax Collector

Memorandum

DATE: April 26, 2006
TO: Land & Building Committee
FROM: Joan A. Porter, Tax Collector *Jan*
RE: Map 314 Lot 7-A (Second Street)

The above-referenced property is not a tax-deeded parcel and as such the Tax Collector's office has no interest in its disposition.



MAILED
FEB 16 4 48 PM '05
ALFANO, BAROFF & KASTEN

Professional Association

Attorneys

10 Commerce Park North ■ Suite 13B ■ Bedford ■ New Hampshire 03110

Phone: 603.647.4200 ■ Fax: 603.647.4664

4/18/05 - Tabled
8/29/05 - "
11/21/05 - "
2/21/06 - "
3/21/06 - "

Michael J. Kasten, Esq.

Direct Dial: 603.668.9330

mkasten@alfanobaroff.com

February 11, 2005

Board of Mayor and Alderman
Attn. Committee on Lands and Buildings
One City Hall Plaza
Manchester, N.H. 03101

City of Manchester
Office of City Clerk
Attn. Tom Arnold, Esq.
One City Hall Plaza
Manchester, N.H. 03101

Re: Boundary Line Agreement Lot #37, Tax Map #506, West Shore Avenue,
Manchester, N.H.

Dear Committee on Lands and Buildings and Tom,

I represent Steve and Anna Sacco, the owners of the above-referenced lot which abuts City owned property at the intersection of West Shore Avenue and Bodwell Road abutting Crystal Lake. The Saccos recently completed a survey of the property revealing an discrepancy in the boundary line between the Sacco's lot and the City's lot.

The Saccos and their engineer, Joseph Wichert, have met with Mr. Miccio of the Highway Department to discuss the boundary line issue and arrive at a plan.

Based on these discussions, we are proposing entering into a Boundary Line Agreement to place the boundary line at the location set forth on the attached plan.

I have enclosed the following materials:

- a. A Plan showing the area of discrepancy and the proposed Boundary Line.
- b. A proposed Boundary Line Agreement to be recorded in the Hillsborough County Registry of Deeds.

On behalf of the Saccos, I would greatly appreciate if the Committee could put this on its agenda at the next regularly scheduled meeting and inform us, through Tom Arnold, of your recommendation and decision.

5

Should you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Kasten".

Michael Kasten, Esq.

cc. Steve and Anna Sacco
Joseph Wichert, L.L.S.

5

BOUNDARY LINE AGREEMENT

THIS BOUNDARY LINE AGREEMENT is made as of this ____ day of _____, 2005 by and between Stephen Sacco and Anna Sacco as owner of Tax Map 506 Lot 37 (as defined below) ("Lot 37 Owner"), and The City of Manchester as owner of Tax Map 815 Lot 2 (as defined below) ("Lot 2 Owner").

RECITALS

Whereas, the Owner of Lot 37 and the Owner of Lot 2 own adjoining land in the City of Manchester, Hillsborough County, New Hampshire;

Whereas, Lot 37 Owner acquired title to Lot 37 by virtue of a deed recorded in Book 5176, Page 1674 in the Hillsborough County Registry of Deeds (the "Registry");

Whereas, Lot 2 Owner acquired title to Lot 2 by virtue of a deed from recorded in Book 1017, Page 40 in the Registry;

Whereas, the boundary line between Lot 37 and Lot 2 is in dispute and cannot be located by reference to the data in the relevant deeds or on the ground by reason of the loss or obliteration of the monuments and boundaries named therein; and

Whereas, The Survey prepared by Joseph M. Wichert, LLS described herein, locates numerous bounds set in the area and although there are plans of the property on record, the existence of numerous bounds and the lack of detail on the prior plans results in the boundary line being in dispute; and

Whereas, Lot 37 Owner and Lot 2 Owner desire to settle the dispute and establish the precise boundary line in the manner provided in New Hampshire RSA 472.

5
NOW THEREFORE, the Owner and Lot 37 and the Owner of Lot 2 agree as follows:

1. The Easterly boundary of lot 37 where it abuts lot 2 shall be and run as follows: Beginning at point on the easterly line of West Shore Avenue thence running S 18°23'56"E a distance of 41.26 feet to a point; thence S 10°33'25 E a distance of 95.00 feet to an iron rod; thence turning and running S 52°27'38 W a distance of 62.83 feet to a point; thence turning and running S , as shown on Plan of land entitled _____ dated _____ and recorded as Plan # _____ in the Hillsborough County Registry of Deeds.
2. The Owner of Lot 37 and the Owner of Lot 2 shall cause the Surveyor to place suitable and permanent monuments at each end and at each angle of the boundary so agreed upon and as shown on the Boundary Plan.
3. This Agreement shall constitute a full and final agreement and settlement of the dispute regarding the boundary line between Lot 37 and Lot 2.
4. The City of Manchester grants to Stephen and Ann Sacco, with quitclaim covenants, all property on the westerly side of the above described line.
5. Stephen and Ann Sacco grant to the City of Manchester, with quitclaim covenants, all property on the easterly side of the above described line.

WITNESS our signatures this _____ day of _____, 2005.

Witness

Stephen Sacco

Witness

Ann Sacco

STATE OF NEW HAMPSHIRE
COUNTY OF _____

On this _____ day of _____, 2005, then personally appeared before me the above-named Stephen Sacco and Ann Sacco, and acknowledged the foregoing to be their free act and deed.

Notary Public:

My Commission Expires:

City of Manchester

5

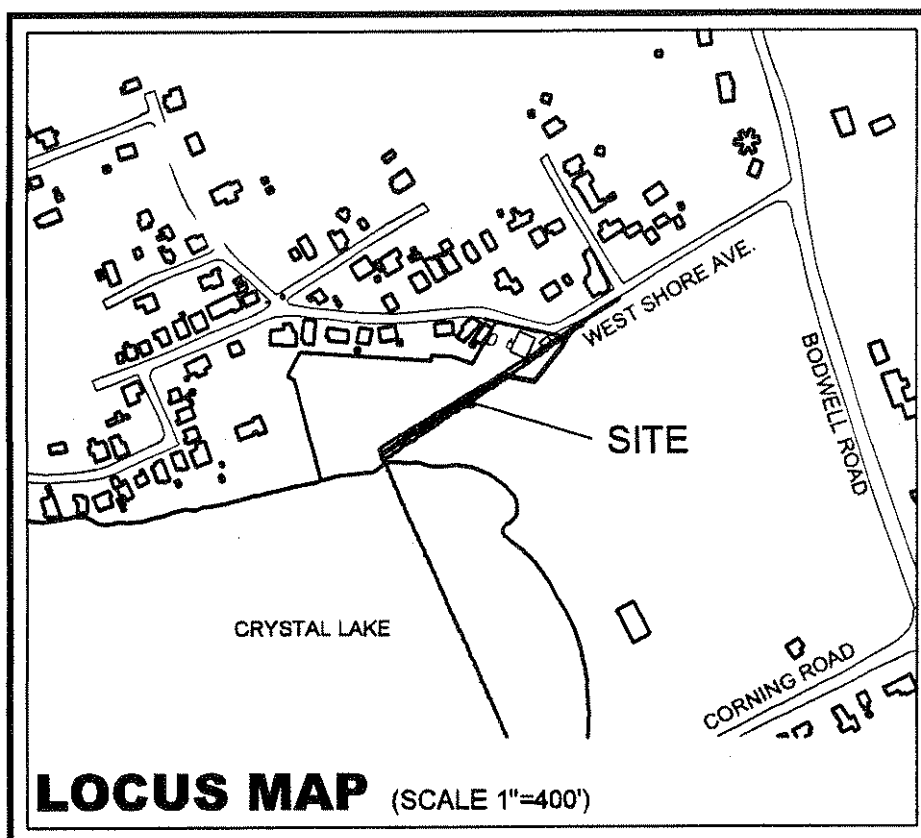
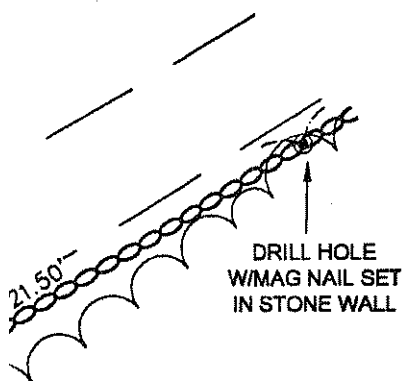
Witness

By: _____

STATE OF NEW HAMPSHIRE
COUNTY OF _____

On this _____ day of _____, 2005, then personally appeared before me the above-named _____, duly authorized _____ and acknowledged the foregoing to be of his free act and deed on behalf of the City of Manchester.

Notary Public:
My Commission Expires:



NOTES:

- 1.) THE SUBJECT PARCELS ARE LOT# 37 ON THE CITY OF MANCHESTER TAX MAP #506, OWNERS OF RECORD ARE STEPHEN AND ANNA SACCO OF 100 WEST SHORE AVENUE, MANCHESTER, NH 03109. V.5176 P.1674, AND LOT #2 ON THE CITY OF MANCHESTER TAX MAP #815, OWNER OF RECORD IS THE CITY OF MANCHESTER, ONE CITY HALL PLAZA, MANCHESTER, NH, 03101, V.1017 P.40.
- 2.) THE SUBJECT PARCEL IS ZONED R-1B. MINIMUM LOT SIZE IS 7,500 SQ. FT. MINIMUM LOT FRONTAGE = 75'. SETBACKS ARE AS FOLLOWS: FRONT = 20', SIDE = 10' AND REAR = 30'.
- 3.) THE INTENT OF THIS PLAN IS TO SHOW THE AGREED COMMON BOUNDARY LINE BETWEEN THE SUBJECT PARCELS.
- 4.) THE BEARINGS AND COORDINATE SYSTEM SHOWN ARE TIED INTO THE CITY OF MANCHESTER GIS SYSTEM USING GPS OBSERVATIONS.
- 5.) THE BOUNDARY LINES SHOWN ARE BASED ON AN ACTUAL FIELD SURVEY OF THE SUBJECT PARCEL IN APRIL - OCTOBER OF 2003. I, JOSEPH M. WICHERT, NHLLS #783 CERTIFY THAT THE WORK WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION.



CITY OF MANCHESTER

Office of the City Clerk

11/15/04 - Highway to
work with Ad. Del. Del. Del.
I come back to
Committee of a
date
on policy

Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

Memo To: Kevin Sheppard, Deputy Director Public Works
Ronald Johnson, Deputy Director Parks, Recreation & Cemetery
Bob MacKenzie, Planning Director

From: Valerie E. Fysh *VEF*
Administrative Assistant

Date: September 3, 2004

Re: Request from Committee on Lands & Buildings

On July 27, 2004 the Committee requested that heads of any departments that could have input into the site selection for a dog park meet, in conjunction with the animal shelter, to determine the best and most feasible economic site within the city. At the meeting the committee discussed three sites, the landfill on Dunbarton Road, Straw Road, and West Mitchell Street.

The Committee had asked that the information be forwarded to them prior to their next meeting, however, that date is unknown at this time. We will notify you once the date has been determined.

I have enclosed a copy of the minutes as well as copies of three site maps from the meeting for your reference. Please contact me should you have any questions.

pc: Frank Thomas

6



Landfill Site



Staw Road Site

6



West Mitchell St. Site



City of Manchester
Parks, Recreation & Cemetery Department

Inter-Office Correspondence

Memo to: Mr. Leo Bernier, City Clerk

From: Ron Ludwig *RL*

Date: September 7, 2004

Re: Request for Information Dog Park
West Mitchell/Pine Grove Cemetery

04 SEP -8 P1 59

RECEIVED
MANAGER

Attached is the information requested from the Committee on Lands and Buildings at their July 27, 2004 meeting. According to the memo from the Clerks Office no date has been set for this meeting at this point. Could you kindly include our response to the Request for Information on the next agenda? Thank You.



CITY OF MANCHESTER
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104-5491
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
(603) 624-6569 Fax

COMMISSION

George "Butch" Joseph, Chairman
Steve Johnson, Clerk
Michael Worsley
Dennis Smith
Sandra Lambert
Ronald Ludwig, Director

September 7, 2004

Committee on Lands and Buildings
Alderman Henry Thibault, Chairman
One City Hall Plaza
Manchester, NH 03101

Re: Request for Information
Property off West Mitchell St./Pine Grove Cemetery
Possible Dog Park

04 SEP -8 P 2:00

RECEIVED
MANCHESTER CITY CLERK

Dear Committee Members,

The Department has been asked to respond to a request to possibly locate a Dog Park off West Mitchell ST behind the Brown and Mitchell Softball Field in the Pine Grove Cemetery. After speaking with the Cemetery Supervisor, Mr. Gerry Coulter, and other members of our staff we have determined that this site would not be an appropriate location. Even though it appears that a large amount of space exists in this area it is still in close proximity to Cemetery lots and graves that have already been sold. Also in the opinion of those who have years of experience at the Cemetery, a Dog Park would not be a good fit when the services are being conducted in this general location.

As also requested, I will continue to keep an eye open for other sites that may be a better fit for this type of facility.

Should the Committee have additional questions I would be more than happy to respond.

Sincerely,

Ronald E. Ludwig
Director



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission

Edward J. Beleski
- Chairman
Henry R. Bourgeois
William F. Kelley
Michael W. Lowry
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

September 9, 2004

Land and Buildings Committee of the
Honorable Board of Mayor and Aldermen
CITY OF MANCHESTER
One City Hall Plaza,
Manchester, New Hampshire 03101

Re: Dog Park Site

Dear Committee Members:

I am writing in response to the Committee's request for input into the site selection for a dog park. Two of the sites warrant our comment:

- The *first* site is located off of Straw Road. We would not recommend this site for several reasons, including the site is utilized for material storage, the site does have areas of wetland and the access to the site is not desirable. Due to the limited storage capacity at our Dunbarton Road site, we will need to continue storing material at this location.
- The *second* site is the landfill and/or the small area of land to the west of the existing Animal Shelter. These areas would be acceptable subject to the areas being fenced and having a controlled access.

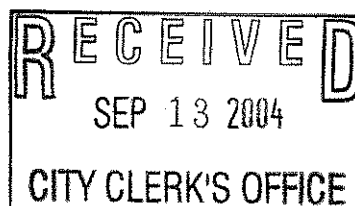
Although the park may potentially be located on land of the Highway Department, it is our assumption that all maintenance of the area will be done by a private group. I will be available should you have any questions pertaining to this matter.

Sincerely,

Kevin A. Sheppard, P.E.
Deputy Public Works Director

/cd

cc: Frank C. Thomas, P.E.
Alderman Betsi DeVries



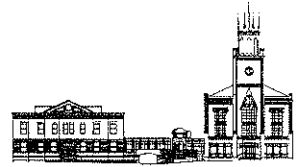


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

November 10, 2004

Lands & Buildings Committee
Honorable Board of Mayor and Aldermen
City Hall
One City Hall Plaza
Manchester, New Hampshire 03101

re: Dog Park

Honorable Committee Members:

This is in regards to the search for a suitable location for a dog park. Of the sites that have been mentioned, it would be our opinion that the landfill area would be the most suitable location.

If you have any questions, I will be available at your next meeting.

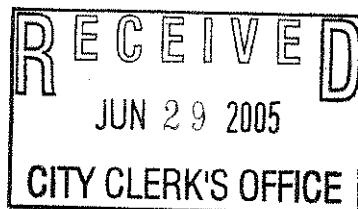
Sincerely,

Robert S. MacKenzie, AICP
Director of Planning

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 FAX: (603) 624-6529
E-mail: planning@ci.manchester.nh.us
www.ci.manchester.nh.us



**Public Service
of New Hampshire**



Public Service Company of New Hampshire
370 Amherst Street,
Nashua, NH 03063
1-800-662-7764

The Northeast Utilities System

Russel D. Johnson
Southern Division Circuit Manager
(603) 882-1387 X5250
(603) 880-1906 FAX

7/19/05 -
Tabbed
8/29/05 - "
11/21/05 - "
2/21/06 - "
3/21/06 - "

June 27, 2005

The Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Honorable Members of the Board:

Representatives from PSNH recently met with Chuck DePrima, Manchester Parks and Recreation, to discuss obtaining permission to place a padmount transformer within the confines of Veterans Park. An increase in power requirements for the downtown area, e.g. the rehabilitation of 795 Elm Street, requires that we add to our available capacity.

The plan, which we discussed with Chuck, would involve the installation of an above ground padmount transformer within the gates of the park located along the back wall of the Visitors Center on the corner of Merrimack and Hanover Sts. The area occupied by the padmount transformer and cement slab would amount to 8 ft by 8 ft and would be situated approximately 5 feet from the back of the building (approximate location shown on enclosed plan). However, the precise location of the pad and the path and orientation of conduits may be dictated by other underground utilities located in the area.

The plan to install the padmount within the confines of the park is an alternative to an earlier proposal, discussed with Peter Capano, Manchester Highway, to install an additional 'network' transformer. This transformer, which would be added to the downtown 'network system' would be installed in a manhole in the sidewalk adjacent to the park on Merrimack Street. We would then trench to the existing manhole (#49) located on Merrimack Street (between Elm and Chestnut).

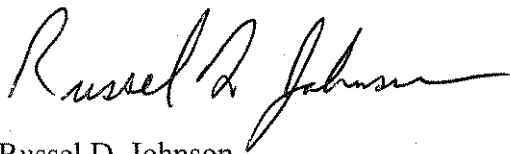
There are several advantages to the padmount transformer option. It reduces loading on the downtown network system supplied by our Brook Street substation, thereby reserving capacity for future development of existing buildings served by the network. This option eliminates the need for the significant excavation associated with the installation of an 8 ft by 17 ft network vault in the sidewalk along the south side of Merrimack Street. Therefore, the corresponding

7 access panels and grating in the sidewalk required to provide access and cooling for the network transformer would no longer be needed.

In addition, this option completes the first step of a PSNH project to create an alternate feed from the switchgear located near the Manchester Police Department to the switchgear located on the southerly side of Veteran's Park. The completion of this alternate feed will provide the ability to backfeed the Manchester Police Department, the GSA building, and this proposed transformer.

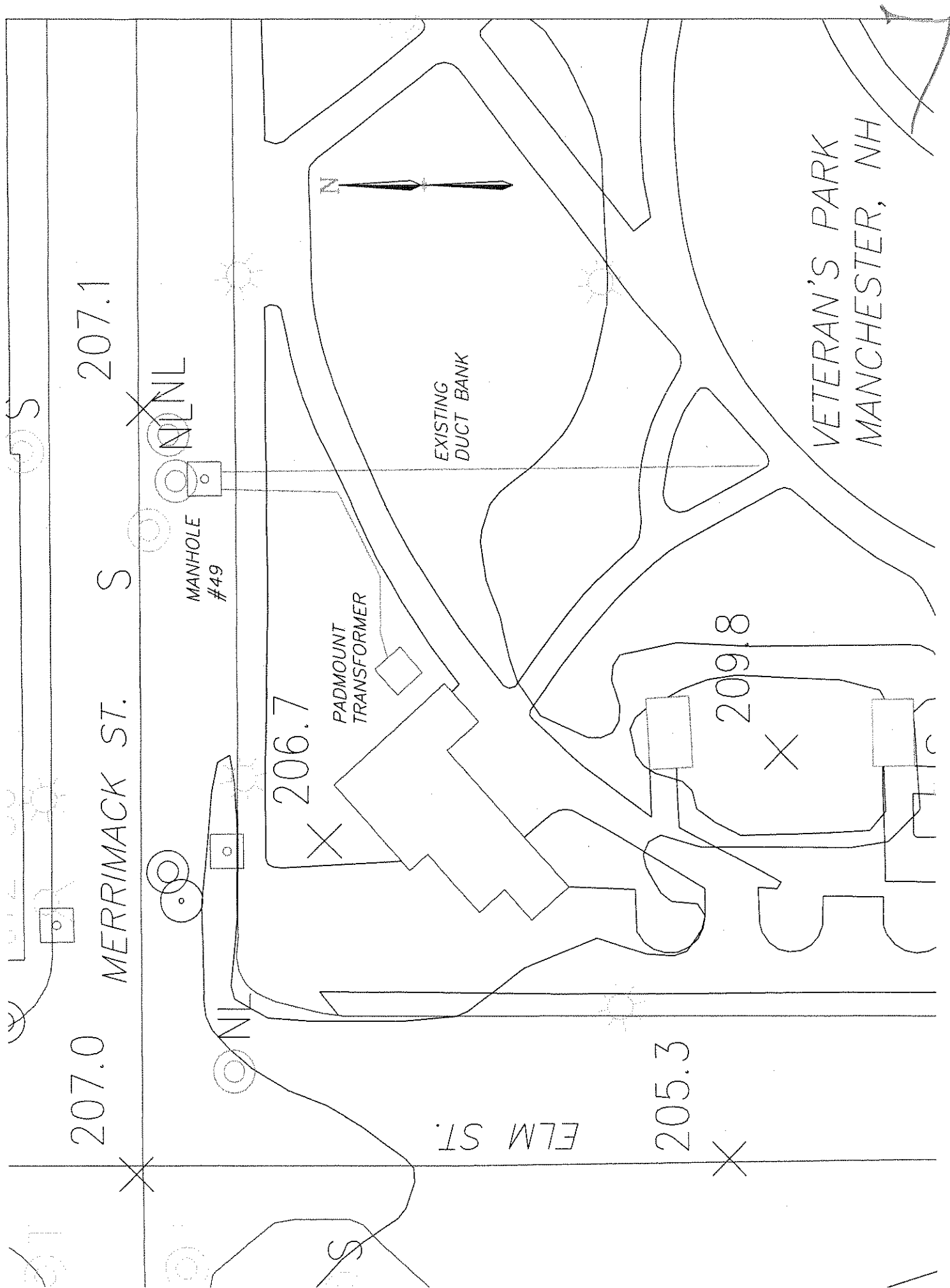
Please contact me with any questions or comments regarding this request.

Sincerely,



Russel D. Johnson
Southern Division Circuit Manager

cc: Robert T. Hybsch
George W. Kellermann
Peter Capano, City of Manchester
Chuck DePrima, City of Manchester



4 624-1844
C 533-0220
O 668-1871

624-1844
533-0220
668-1871

Gerald and Muriel Hebert
1175 Page Street
Manchester, NH 03104

July 17, 2005

City of Manchester, NH
Committee on Land and Buildings
C/o City Clerk's office
1 City Hall Plaza
Manchester, NH 03101

Dear Mr. Chairman,

I am writing regarding a parcel of property located on Page Street in Manchester. located between London Street and Bridge Street, a vacated parcel which belongs to the city, Lots 3, 6 and 7, which abuts our lot: 0246-0002.

We have resided here for thirty years and we would like to acquire this parcel, as in the near future we hope to build a retirement home on our lot, 0246-0002, but we lack 25 feet of frontage to build.

As you know, this is not desirable property, it is located at the bottom of the hill and there is always water running through the property all year long. The Highway Department has to come often, to open the trench for the water to run through, as it builds up ice, water etc., on the street.

There is approximately 30 feet of dry land between the road and the build up of water in the designated water shed area. We feel that for this reason, the property would be of no use to anyone else. However, it would give us the extra 25 ft frontage required to build.

We don't know if this is acceptable or financially feasible for us to acquire. We are in a position to offer \$5,000. Please advise, we appreciate sincerely your time and consideration.

Yours truly,



Gerald W. Hebert, Sr.

cc/Mary Sysyn, alderman



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

July 20, 2005

Mr. Gerald W. Hebert, Sr.
1175 Page Street
Manchester, NH 03104

Dear Mr. Hebert,

At their meeting last evening, the Committee on Lands and Buildings discussed the request you submitted to purchase Lots 246-3, 6 and 7 currently owned by the City.

Following the discussion, the Committee tabled the request pending additional information from the Planning and Assessing Departments with their input as to what could be built on these adjoining lots, as well as what zoning would allow in the area.

This request will be visited again at the Committee's next meeting. Please contact Paula Leblond-Kang in the City Clerk's office for the date and time of the Committee's August meeting.

In the event you have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

Leo R. Bernier
City Clerk

Copy: Robert MacKenzie, Planning Department
David Beauchesne, Planning Department
Steve Tellier, Board of Assessors



**City of Manchester
Office of the Tax Collector**

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101
(603) 624-6575 (Phone)
(603) 628-6162 (Fax)

Joan A. Porter
Tax Collector

Memorandum

DATE: JULY 18, 2005

TO: LAND & BUILDINGS COMMITTEE

FROM: JOAN A PORTER, TAX COLLECTOR

RE: LAND AT PAGE/MICHIGAN AVE

On December 17, 2003 the City of Manchester conducted an auction (for the second time) in an attempt to sell the three parcels located at Map 246 Lots 3, 6 and 7. The minimum bid was set at \$60,000. There was a final bid of \$57,000. However, a wetlands engineer surveyed the property and determined that one could not build on this lot due to the extent of the wetlands. As such, the highest bidder withdrew. The second bidder was contacted and likewise was not interested based on the engineer's report.

This was brought to the attention of the BMA on January 14, 2004 and it was voted to refer the matter to the Land & Buildings Committee for further review and report. No action has been taken since that time.

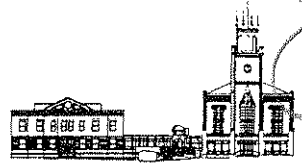


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

July 18, 2005

Lands & Buildings Committee
Honorable Board of Mayor and Aldermen
City Hall
One City Hall Plaza
Manchester, New Hampshire 03101

re: Sale of Property off Page Street

Honorable Committee Members:

This is in regard to the City owned land off Page Street. We have previously recommended that this property be deemed surplus and sold. It is my understanding that the property has not sold at auction. This is likely due to the significant amount of wetland on the site that does make it well suited for an individual building lot.

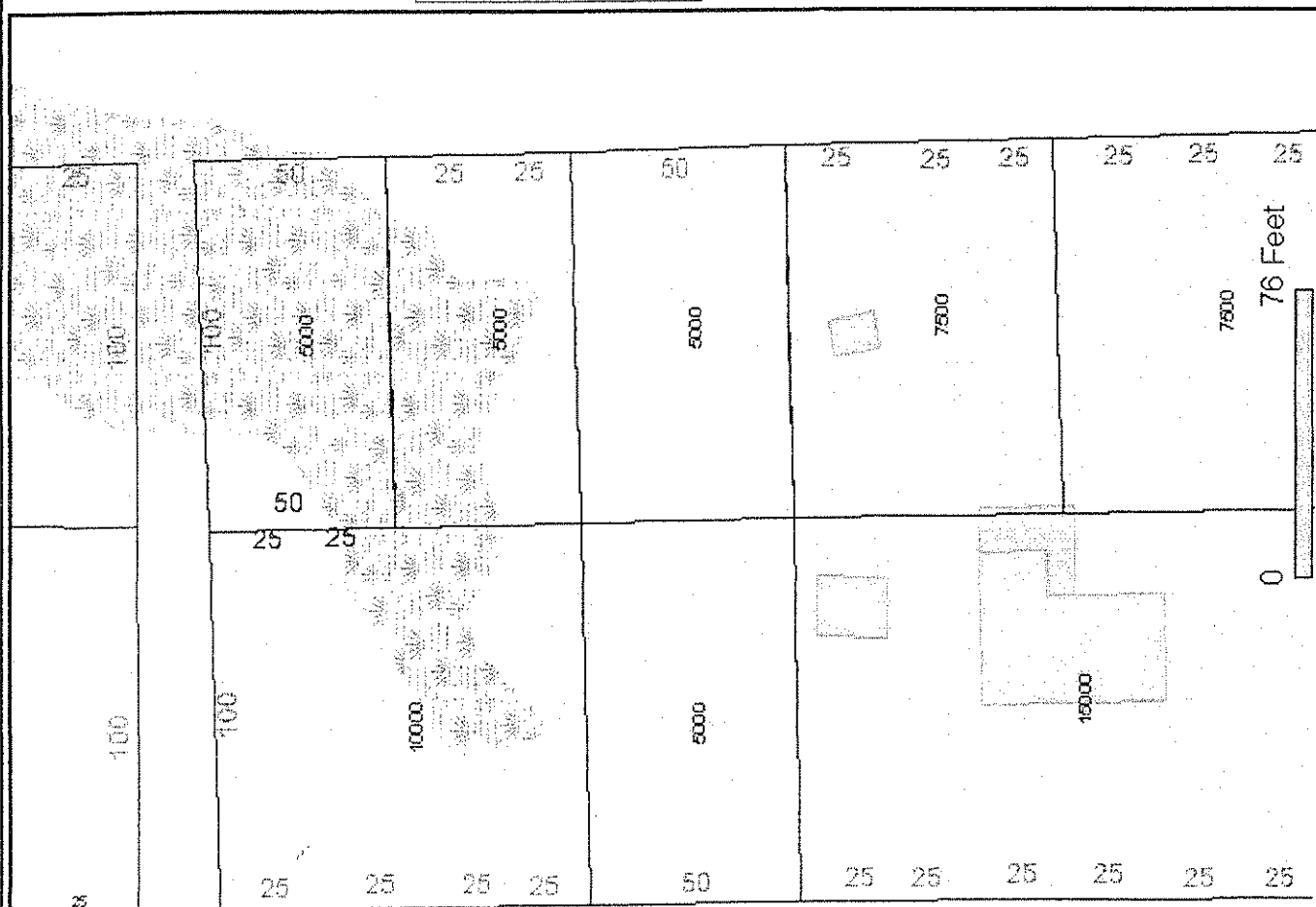
I am aware that an abutter has expressed an interest in purchasing this property and combining it with a small abutting vacant lot to make a suitable building site. Given the difficulty in developing the site as is, selling the property to the abutter would be an appropriate means of disposing of the property.

If you have any questions, I will be available at your next meeting.

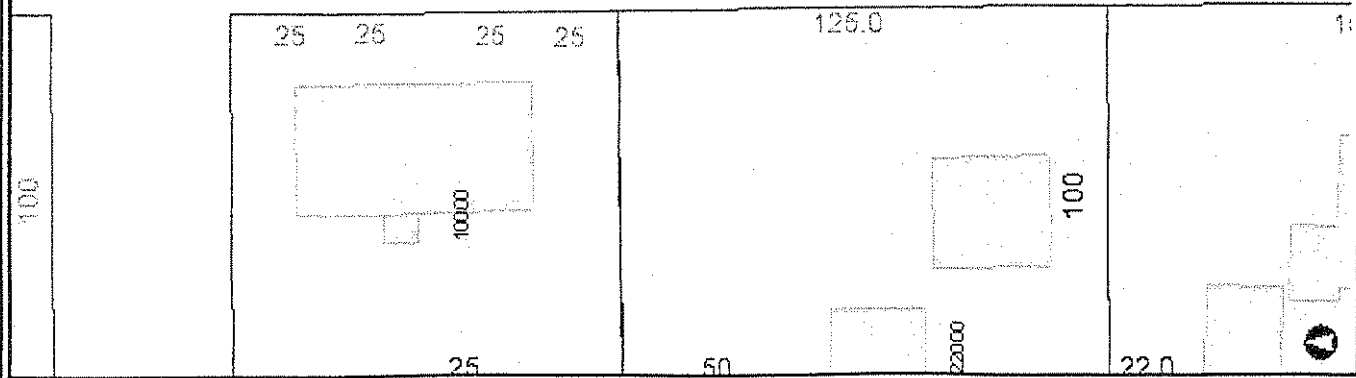
Sincerely,

Robert S. MacKenzie, AICP
Director of Planning

Disclaimer
The City of Manchester makes no warranty as to the accuracy, reliability, or completeness of the information and is not responsible for any errors or omissions or for results obtained from the use of the information.



PAGE 51



Geographic Information System

GIS Map Print

My Map

Locus Map



Disclaimer

The City of Manchester makes no warranty as to the accuracy, reliability, or completeness of the information and is not responsible for any errors or omissions or for results obtained from the use of the information.

Mr. Tellier stated what I have up on the screen before you is an aerial view. I will proceed to clear it up. Myself and staff inspected the site several days ago as well as on a preceding location. The letter is pretty self-explanatory. There was a minimum bid previously on that site for \$57,000 but the bidder brought in a wetlands engineer and it was determined that the site was much too wet and did not have a dry enough area to provide an adequate building envelope for improvement. If you will give me a minute I will try to get you a better picture to show you the extent of the wetlands. As you can see that center green area...I don't have a laser pointer but there is a significant amount of wetlands on that site. The only thing that might, as I indicated in my letter, if someone were to petition for quiet title to acquire the additional 25 feet on the discontinued portion they may or may not have an adequate building envelope for improvement. I seriously doubt it at this point because of the extent of the wetlands involved. At that point we revised the value. Its primary use would be residual land for either the abutters or possibly the site across the street or kiddie corner as parking or just to meet setback requirements. The building to its east, I believe, is a set of condos. They may wish to acquire it. At the top of the picture you can see a large building. That is a set of four condos. They did petition to quiet title. That site does own 25 feet. Where you see the parking lot it appears to approach a little bit over on to the discontinued road but they did petition for quiet title some time ago and they do own half that street. With that being the case we would revise the value to \$7,500 to \$10,000. My recommendation at this point would be to notify abutters and just go to auction.

Alderman Porter moved to declare the property surplus and move it to public auction.

Alderman Roy asked Steve the process to quiet title, if it was done for this unit here will take care of the other 25' parcel.

Mr. Tellier responded Tom would probably be most appropriate to answer that.

Deputy Solicitor Arnold replied it might have but I would tend to doubt it. I would think that when the condo association applied to quiet title they only applied for their half of the road would be my guess but without seeing the documentation I couldn't be definite.

Alderman Roy asked what would the cost to the City be to quiet title on the rest of the remaining land abutting City property.

Deputy Solicitor Arnold answered it would probably be a pretty minimal filing fee. Our office could probably handle it, however, I question whether it would be necessary at this point. If the other side of this street did a quiet title then that

City of Manchester, NH

NH

Geographic Information System

GIS Map 246

My Map

Subject Property Data

Last Updated Feb 25, 2005

GIS_ID 246-3

Parcel ID 246-3

Owner CITY OF MANCHESTER TAX COLLECTOR

Location PAGE ST

Account # 3437548

Co-Owner

Owner Addr. 908 ELM ST

Owner City MANCHESTER, NH 03101

Total Land Area 0.2295864

Land Value 9000

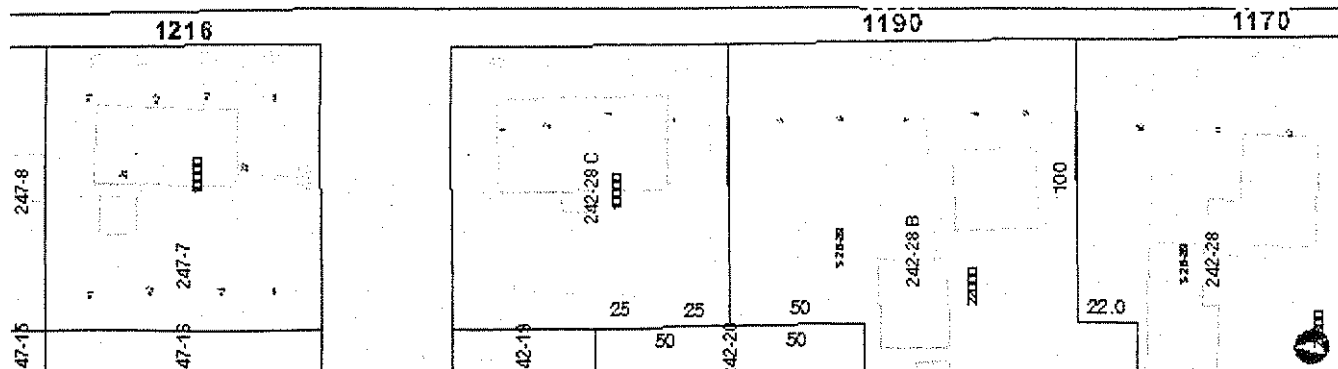
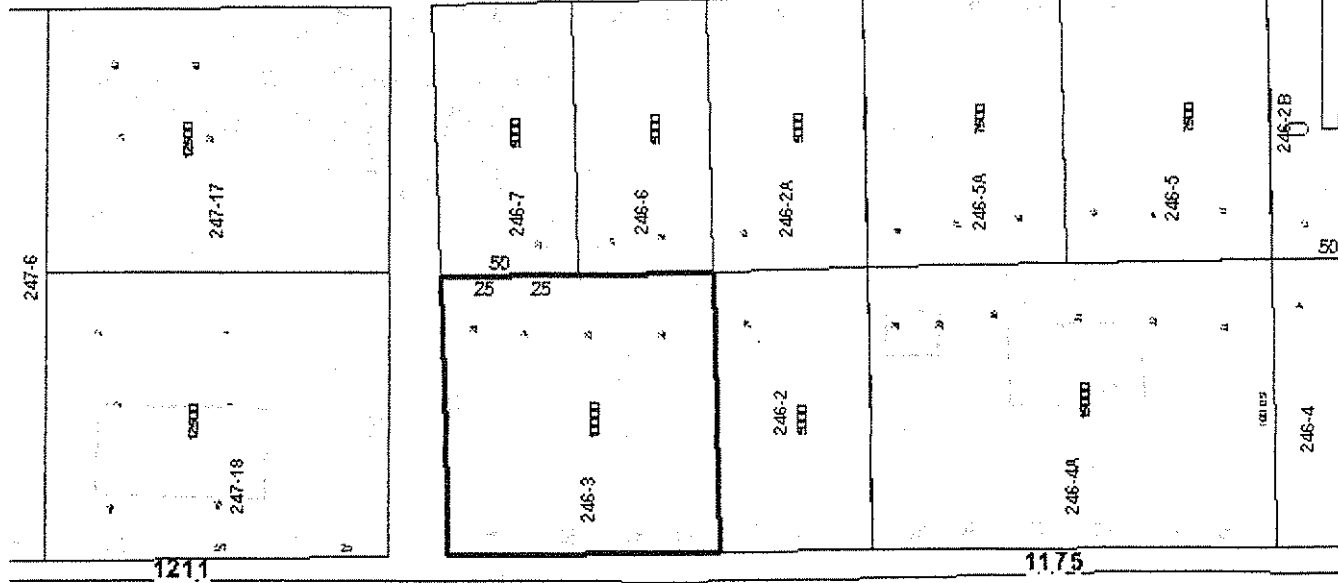
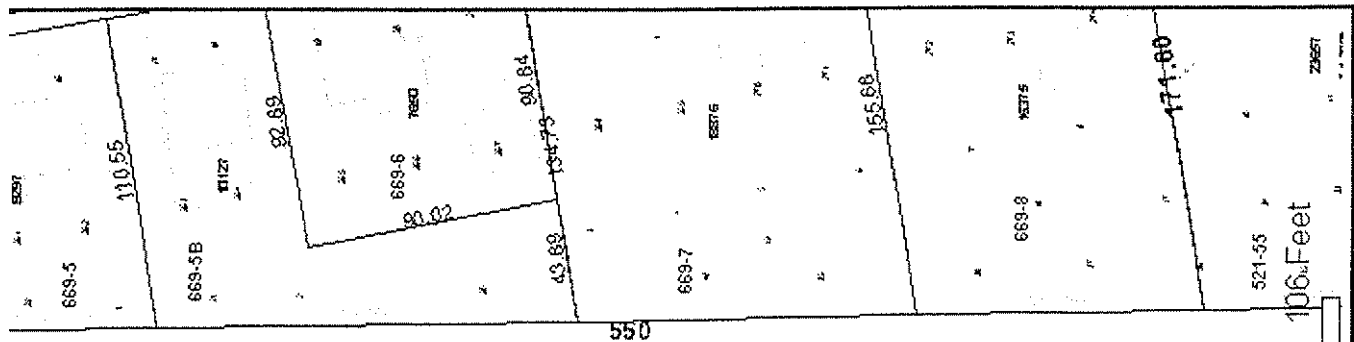
Building Value 0

Total Value 9000

Land Use NON TAX C

Disclaimer

The City of Manchester makes no warranty as to the accuracy, reliability, or completeness of the information and is not responsible for any errors or omissions or for results obtained from the use of the information.

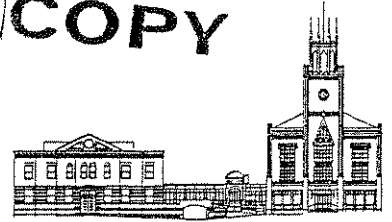




CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing
Manchester, New Hampshire 03101
Tel: (603) 624-6520 – Fax: (603) 628-6288
E-Mail: assessors@ci.manchester.nh.us
Website: www.ci.manchester.nh.us

 **COPY**



Steven G. Tellier, Chairman
Paul W. Porter, Jr.
Thomas C. Nichols

Lee Ann Provencher
Assistant to Assessors

To: City Clerk
From: Board of Assessors
Date: July 19, 2005
Re: Surplus Property
Map 246 Lot(s) 3, 6 & 7
L/O located page St

Pursuant to a request from the Office of the City Clerk, the potential value range for the subject property is listed below. Please note that lot #3 has road frontage on Page St. A recent bidder discovered after hiring a wetlands engineer, that due to an inordinate amount of wetlands on site that the parcel is unable to be developed under present conditions. There is evidence of wetland area attributable to all three contiguous parcels. Potential value may increase with the addition of the discontinued portion of the abutting paper street. However, at present the most appropriate use appears to nearby abutters.

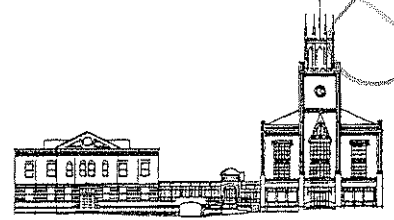
After review of the factors surrounding this site, it is the opinion of our Board that the sites present use would be residual land for ancillary building or to meet setback or parking needs and should be valued accordingly.

After analyzing similar unimproved land sales and taking into account the significant wetlands, a value in the range of \$7,500 - \$10,000 would be appropriate.



CITY OF MANCHESTER Board of Assessors

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Steven G. Tellier, Chairman
Paul W. Porter, Jr.
Thomas C. Nichols

Lee Ann Provencher
Assistant to Assessors

To: City Clerk
From: Board of Assessors
Date: May 24, 2004
Re: Surplus Property
Map 246 Lot(s) 3, 6 & 7
L/O located page St

Pursuant to a request from the Office of the City Clerk, the potential value range for the subject property is listed below. Please note that lot #3 has road frontage on Page St and, although there appears to be some wetland area attributable to all three sites, with the addition of the discontinued portion of the abutting paper street, the lot may be able to be improved upon.

After analyzing similar unimproved land sales, the previous value of \$60,000 would be appropriate.

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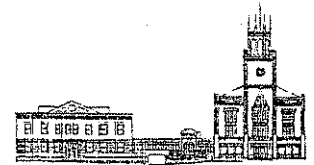


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Zoning Board of Adjustment
Heritage Commission
Millyard Design Review Committee

February 5, 2004

Committee on Land and Buildings
Honorable Board of Mayor and Aldermen
Manchester City Hall
One City Hall Plaza
Manchester, New Hampshire 03101

Re: *Sale of Tax-deeded property on Page Street & Michigan Avenue (TM 246, Lots 3, 6 & 7)*

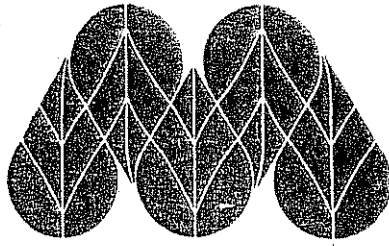
Dear Committee Members:

Our records indicate that the City has been attempting to return these several tax-deeded parcels to private ownership since as far back as 1994 when the Planning Department first provided the Committee with a report regarding their disposition. After reviewing the latest information about this case we now wish to reaffirm our previous October 11, 1994 report (see attached).

Sincerely,

Robert S. MacKenzie
Director of Planning & Community Development

Copy: file



City of Manchester
City Planning Department

The Beacon Building
814 Elm Street
Manchester, New Hampshire 03101
(603) 624-6450
FAX 624-6529

8

October 11, 1994

Committee on Lands and Buildings
Honorable Board of Mayor and Aldermen
908 Elm Street
Manchester, N.H. 03101

RE: Sale of Tax-deeded property on Page Street.

Dear Committee Members:

This is to provide a report pursuant to Section 23 1/2 pertaining to the above-referenced property.

Surplus Determination: This vacant property is located on the east side of Page Street near Bridge Street Extension. It would appear that a good portion of the site would be classified as wetland. The only possible use I would foresee for the City would be for conservation purposes, although I do not believe that small, isolated wetland pockets such as this should be in City ownership and the previous Chairman of the Conservation Commission has also held this opinion on a recent offer to dedicate a wetland area off Woodland Avenue. Based upon a review of the site, I do not believe that there are any City needs for the property and, as such, I would recommend that the property be determined "surplus" and be disposed of in a manner consistent with Section 23 1/2 of the City Ordinances.

Manner of Sale: I believe the most appropriate manner of disposition would be by some form of public sale such as auction.

Note: I believe that there are other tax-deed lots abutting this lot which are landlocked (having frontage on a paper street - Michigan Avenue, Lots 32, 58 and 59, map 246) which should be sold in conjunction with the property on Page Street.

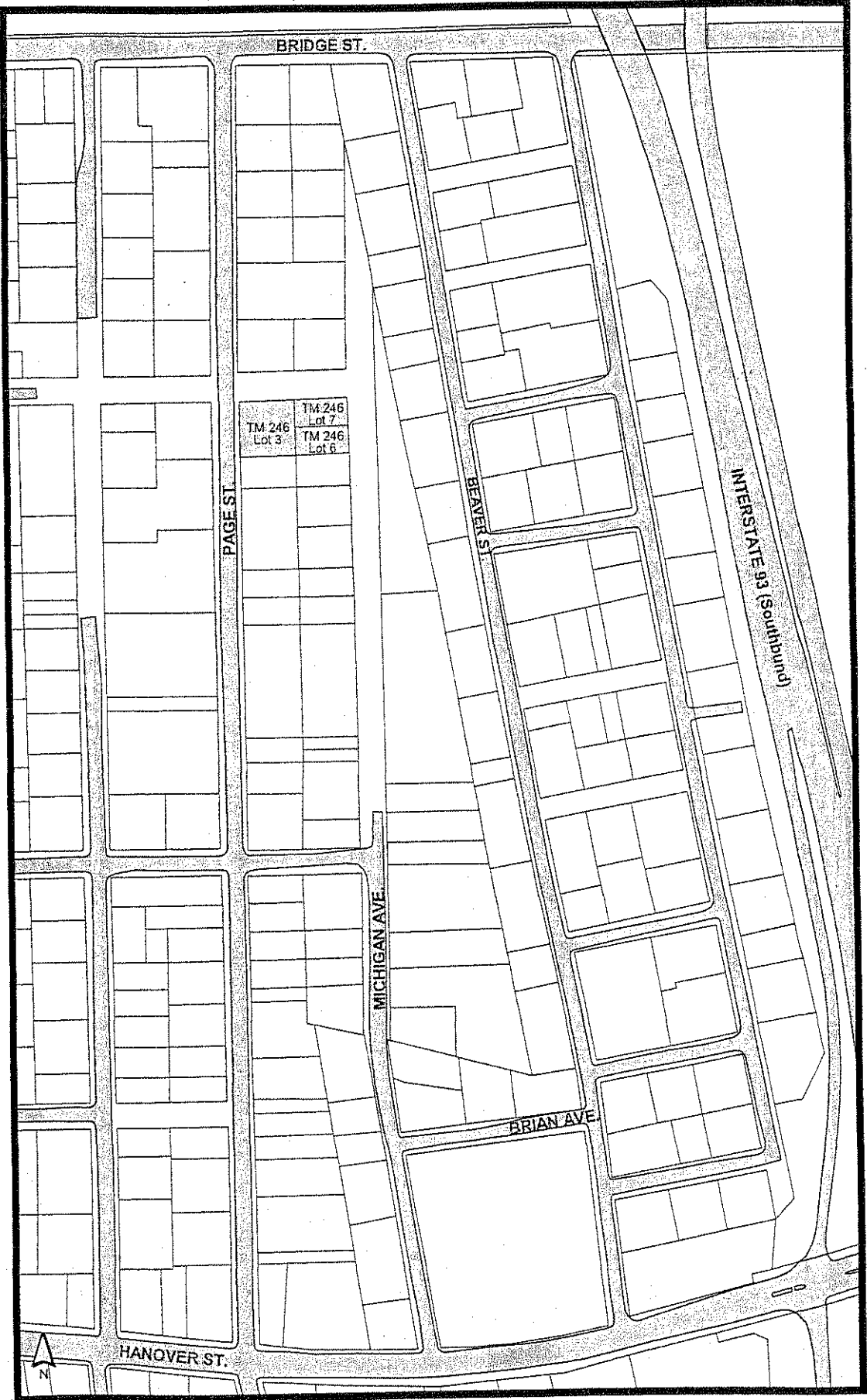
If you have any questions, I will be available at your next committee meeting.

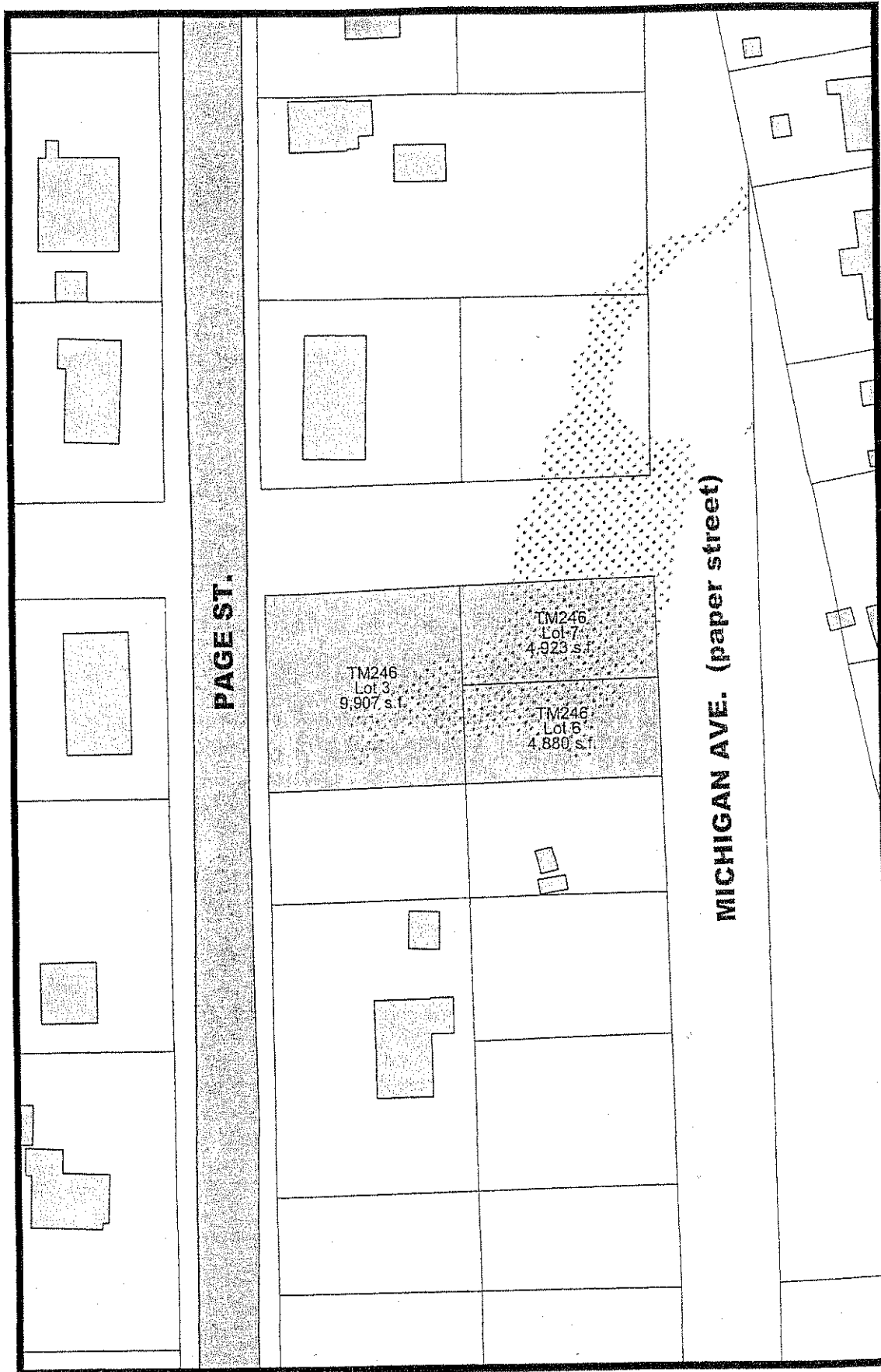
Sincerely,

Robert S. MacKenzie
Director of Planning

8

General Location Map for TM246 - Lots 3, 6 & 7
(off Page Street & Michigan Avenue)





Site Map for TM246 - Lots 3, 6 & 7 (off Michigan Avenue)



100 0 100 Feet

Map scale: 1 inch = 900 feet

8

8

Street and I just want to publicly thank Alderman Gatsas for getting involved and getting the permits needed to get this done. I had been playing with that for four to five months and believe me it was a quagmire of problems that I have never encountered. I just want to thank him in public for that.

Alderman Gatsas responded you're welcome.

5. Land at Belmont/Valley/Grove Streets formerly owned by B&M Railroad.
(Tabled 07/27/2004 pending standard policy for purchasing railroad land to be submitted by Planning.)
Board of Assessors – value range \$26,484
Planning – recommend license for usage subject to conditions
Tax Collector – no interest, not tax-deeded parcel

This item remained on the table.

6. Land at Maple/Somerville Streets formerly owned by B&M Railroad.
(Tabled 07/27/2004 pending standard policy for purchasing railroad land to be submitted by Planning.)
Board of Assessors – value range \$21,084
Planning/Parks – do not dispose, recommend license for usage subject to condition

This item remained on the table.

7. Communication from Greg Grace, Vice President of PMC Wire requesting access to their plant from Valley Street, which would require crossing the former Portsmouth Branch rail corridor.
(Tabled 05/02/2005 pending standard policy for purchasing railroad land to be submitted by Planning.)

This item remained on the table.

NEW BUSINESS

Deputy City Clerk Johnson stated we have an item of new business. It is a communication from Gerald Hebert. The City has a parcel of land known as Tax Map 246, Lots 3, 6 and 7. It is property on Page Street and it has been formerly called Page Michigan. The Tax Collector, Solicitor, Clerk's Office, Assessor and Planning Department have all spoken regarding this parcel. It has been out to auction at least two times. It has substantial wetlands on it and the City has recently received an offer to purchase the property by the abutter. At the auction everything fell through because you can't build on the property basically. There is


too much wetland on it. Mr. Tellier is here to address the property itself and the Tax Collector is here if you have any questions for her regarding the matter. We have included reports from all of the related departments. There is a discrepancy between the offer and as I understand it the last value that was placed on the property was \$7,500 to \$10,000 and the Assessors have reviewed the matter and if you want maybe Steve can review the matter.

Mr. Tellier stated the Assessors handed out two documents. One is a color map, a GIS color map that shows the extensive amount of wetlands. When the initial process to send this out to bid was done, the site was reviewed and it was pretty dry. It was late in the year. The amount of wetland was not evidenced. There was an effort to buy it at around \$50,000 to \$60,000. Subsequently it was found to be extremely wet and they backed out. We looked at it again and after getting the reports from the state as far as the extent of the wetland we revised the residual...it's only utility would be to be used as additional residual land, meaning setbacks and total square area footage if somebody wanted to expand their site or if the abutter wanted to build more. That was the utility that we envisioned its highest and best use to be. So we have revised the value to be \$7,500 to \$10,000. My understanding from the City Clerk is that there is an offer. It has been auctioned at least twice. It has never been sold. We have one offer. My understanding is that the offer on the table is for \$5,000. My understanding as well is that the City Clerk has spoken with that individual today. Steve Hamilton from my office spoke with the person who made the offer yesterday and we reiterated how we came up with our value. We are not going to go willie nillie on changing our values. We feel that the value of \$7,500 to \$10,000 was not unreasonable. However, if the only offer we have is \$5,000 it is not unreasonable that under the purview of this Committee showing preference to the abutters that that be taken into consideration. However, I would certainly bring it to the attention that if we are going to dispose of this lot it should be all three lots, which is Lots 3, 6 and 7 in its entirety. Not just the front lot, but all three. That puts it back on the tax rolls and takes the City off the hook for liability. The color map was given to you to show you the extensive amount of wetland. It doesn't show the topography but there is significant steepness, a large hole, on that site.

Alderman Porter stated I am a little confused. On the second page it says, "previous value of \$60,000 would be appropriate."

Mr. Tellier responded this was a year before.

Alderman Porter asked so this is the one that failed.



Mr. Tellier answered that is correct. I gave this to you just to show you the history. This was a previous year when we were not aware of the amount of wetlands.

Alderman Porter moved to sell the property to the abutter for \$5,000.

Alderman Osborne asked is this land off of Page Street buildable at all by itself.

Mr. Tellier answered absolutely not.

Alderman Osborne asked why would someone offer \$5,000 for it if they can't build on it.

Mr. Tellier answered it is the abutter to the right and he owns that small vacant lot in between his house on that. If you wanted to add on to the house...

Alderman Osborne interjected I understand all of that. So this is not buildable to somebody?

Mr. Tellier responded absolutely not. That is correct. There is a walk in of maybe 15' before it goes downhill into the rushes.

Alderman Gatsas asked just for clarification the red is the lot that we sold for \$60,000.

Mr. Tellier answered no. The GIS requires us...what we are identifying is one lot. I am not advanced enough...with this GIS software I can't outline all three. The two smaller lots behind it are included in this land purchase and that is what I am telling the Committee. We should make it mandatory that all three lots go for this purchase price.

Alderman Gatsas asked so you are saying Lot 246-7, 246-6...is that what you are talking about.

Mr. Tellier answered that is correct. Map 246, Lots 3, 6 and 7 in their entirety.

Alderman Gatsas asked who owns Lot 246-2 and 246-2A.

Deputy City Clerk Johnson stated maybe I can help.

Mr. Tellier responded I think it is Mr. Hebert on the right but I don't have that in front of me.



Deputy City Clerk Johnson replied you do. In the handout that the Clerk provided there is a picture of the house. The one with Page Street and you can see a white house. That is the gentleman that is requesting the purchase so there is the lot next to the house on the right. He also owns that. The larger parcel to the right of that and the two behind it are the three City lots.

Alderman Gatsas asked so he owns the two lots that are behind him are 7,500 square feet each behind the white house.

Deputy City Clerk Johnson answered behind the house I am not sure who owns that.

Alderman Gatsas stated well he has to be because he is encroaching that lot line according to what I am looking at on the next page that you gave me.

Mr. Tellier stated I would suspect so.

Alderman Gatsas asked so he would own roughly in there somewhere around 60,000 square feet. What is the zoning there?

Mr. Tellier answered I don't have that on this map. I think it is R-1. It is residential.

Alderman Gatsas responded are you sure.


Mr. Tellier replied I can't confirm that.

Deputy City Clerk Johnson stated I know if he is going to build a house the lot next to his has 50' of frontage. I think his intent was to build a small house but he cannot put it on the 50'. He needs 25' more of frontage in order to meet the requirement.

Alderman Gatsas stated I guess my question is with the additional 20,000 square feet what kind of a planned unit development could you put in there.

Mr. Tellier responded with the amount of wetland that you have there...do you mean if he takes down the house. I don't know.

Alderman Gatsas stated I guess that is my question. What does that additional 20,000 square feet add to the value of the property if you go in with a planned unit development? It has to be a drastic change from 40,000 to 60,000 square feet.



Mr. Tellier replied it is but we have offered those three parcels on the market at \$60,000. We had a taker and then we found out it wasn't worth that. Then we offered it from \$7,500 to \$10,000. We had no takers at that. Now we have an offer by the abutter who is willing to go \$5,000 or a little more – I don't know. Here we have an opportunity to get it on the tax rolls. It has been mentioned by this Committee that the goal is to get as much City land on the tax rolls as possible. This is the one opportunity that we are looking at right now.

Alderman Gatsas stated I don't know if it is a street. Is it a paper street or an alleyway?

Mr. Tellier responded that is a paper street.

Deputy City Clerk Johnson stated which the abutter on the other side is also parking on as I understand it.

Alderman Gatsas asked why wouldn't we find out if the abutter on the other side wants it and discontinue the street.

Mr. Tellier answered we asked. The abutter on the other side actually converted that four tenement building to condos and an effort was made to reach that individual and they have no interest because they own the lot behind them so they have plenty of parking for their condominium association.

Alderman Gatsas asked are you sure this is R-1B.

Mr. Tellier answered no I am not. I said that at the outset. I am not sure. I know it is not commercial. That is all I can say. However, that is why I brought this color map to denote the extensive amount of wetlands on the subject property. You are right. With consolidation would it add a great deal of value to an abutting lot if they owned a large plot of land? Quite possibly yes but if the land changed in use from a single-family to a planned unit development then the City would in kind change its per square foot value and its value on the tax rolls would change as well if a legal change to that property ensued.

Alderman Gatsas stated I would like to know what it is zoned before we do anything.

Chairman Thibault asked, Steve, I think it begs to the question Alderman Osborne asked. Would this at this point make this a buildable lot?

Mr. Tellier answered no because what would have to occur is the abutter...now I am an Assessor and not a Planner but my understanding would be that a lot line

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adjustment would have to be made or a consolidation would have to be made with the other vacant parcel to give him enough frontage and then he would have to provide a site plan to show the building envelope that would still conform to keeping him away from wetlands and give him his setbacks and side to side requirements. I think that is why his investment is tempered with the fact that he is looking at some measure of speculation but he is willing to take that chance.

Alderman Osborne asked what is this separate here right in between here. You said this was a paper street?

Mr. Tellier stated you are looking at Page Street. In between is a short corridor and that is a paper street.

Alderman Osborne asked what is this other separation here.

Mr. Tellier answered that is another paper street behind there. That wide corridor. As I stated before there was an effort made to contact that building owner to see if they wanted it and also to see if they were interested in this parcel because they own the parcel behind in case they might want to build additional apartments or whatever and they showed no interest in the property. The present offer that we have is the only offer on the table.

Alderman Osborne asked how much would this give the City if we did what you are asking. If we sold it for \$8,000 or whatever it is.

Mr. Tellier answered if he finds out that he can consolidate this with another property and have a house lot there by the time 2006 you might see a market value of \$70,000 to \$90,000 on a house lot.

Alderman Osborne asked so he is the only one that can put a house there is what you are saying.

Mr. Tellier answered he is the only one that has the ability. That is correct.

Alderman Osborne asked without the house how much are we talking.

Mr. Tellier answered it is residual land. It is peanuts.

Alderman Osborne asked what would you like to do with it. Would you like to get some more information?

Alderman Gatsas stated I would like to know what it is zoned.

Mr. Tellier stated I can walk to my office and tell you what the map would show.

Chairman Thibault responded we don't have time for that. We should probably table it for further information.

Alderman Porter moved to table. Alderman Osborne duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

Mr. Tellier asked is that the only piece of information that the Committee needs.

Alderman Roy asked if you can also bring back to us what would be allowed for usage on 70,000 square feet of land in that area.

Mr. Tellier answered that would have to be directed to the Planning or Building Department as the authority. I really can't speak to that.

Chairman Thibault asked can you coordinate that and get that information for us.

Alderman Porter stated I have a suggestion. When you present a map like this to us there is really not much from a standpoint of a point of reference as to what these paper streets are and perhaps you could make a pencil...I don't need something in color. Maybe everybody else does but if you make copies that would suffice for myself and just kind of put in what it is, the street and if it is discontinued or a paper street. That might be helpful.

Mr. Tellier responded so we will get the zoning and what might be allowed in that square footage that you guys determined.

There being no further business, on motion of Alderman Gatsas, duly seconded by Alderman Roy it was voted to adjourn.

A True Record. Attest.

Clerk of Committee



CITY OF MANCHESTER Board of Assessors

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Web: www.ManchesterNH.Gov



David M. Cornell, Chairman
Thomas C. Nichols
Stephan W. Hamilton

Christine Hanagan
Assistant to Assessors

To: Committee on Land and Buildings
From: Board of Assessors *D.M.C.*
Date: March 29, 2006
Re: Sale of Property off Page Street

Honorable Committee Members:

This memo is in regards to City owned property on Page Street. Specifically, the committee requested that we provide the current zoning of the lots. After review, it has been determined that the lots are all zoned R-1B.

The lots have considerable wetlands on them, and they are therefore non-buildable in their present state. As such, on July 19, 2005, the Board of Assessors determined that the fee simple value of these three lots was between \$7,500 - \$10,000. Historically, the Board of Assessors has always valued surplus land "as is" without determining any plottage value¹.

There was some discussion at the July 19, 2005, Land and Buildings meeting on the possible assemblage of lots. Based on my discussion with Robert MacKenzie, lots 246-2 and 246-2A (both owned by Mr. Hebert) could be consolidated with the City owned lots (Map 246 lots 3, 6 and 7) to create an additional building lot. If this occurs, the aggregate plottage value of the combined lots could be between \$100,000-\$125,000. Naturally, how the value is apportioned is very subjective in assemblage cases, but typically the majority of the value is attributed to the usable dry land.

For the committee's convenience, I am enclosing a map that shows the owners of the lots on Page Street.

Respectfully submitted,

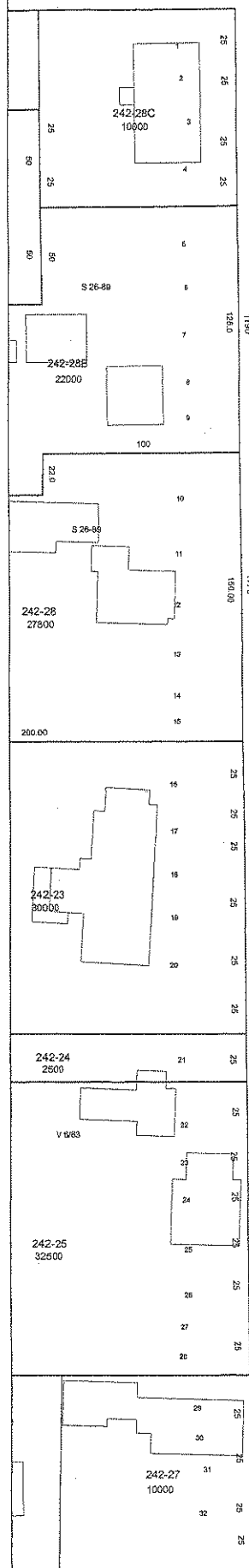
David M. Cornell

David M. Cornell, CNHA
Chairman

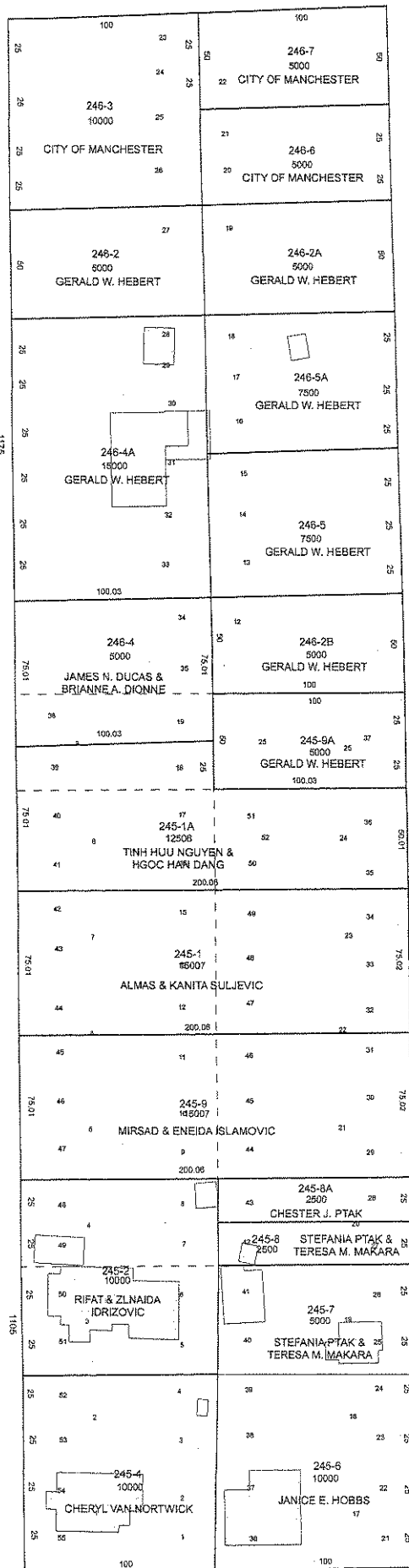
Attachment:

¹ Plottage value is created when two or more lots are consolidated to add greater utility to a site. In this case, combining non-buildable lots to create a buildable lot.

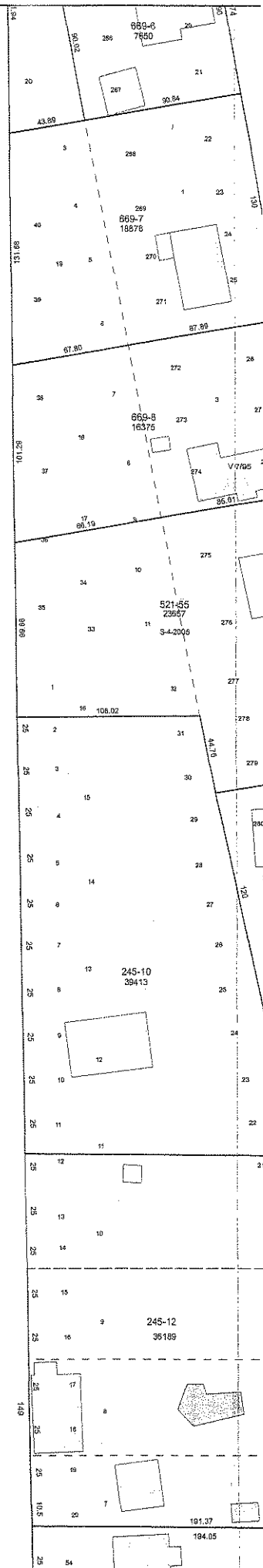
ORK STREET



PAGE STREET



MICHIGAN AVENUE



DON STREET



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

April 19, 2006

Committee on Lands and Buildings
City Hall
One City Hall Plaza
Manchester, NH 03101

re: *Sale of Tax-Deeded Properties on Page Street (TM246, Lots 3, 6 & 7)*

Honorable Committee Members:

This is to follow up on our previous letters to the Committee of October 11, 1994, and July 18, 2005, concerning disposition of these properties. In those communications we noted (a) that the subject City-owned parcels were predominantly wetlands and steeply sloped, (b) that the City had failed to sell the lands at public auction, and (c) that a neighbor, Mr. Gerald Hebert, owner of two abutting lots and five other connecting parcels, has made an offer to buy the several City-owned lands for \$5,000.

Mr. Hebert has stated that his two abutting lots do not have enough frontage to allow for a buildable lot and that his acquisition of the City-owned properties would allow him to satisfy minimum lot frontage requirements and, thus, allow him to build "a retirement home" on the resulting merged lands. We concur that a single buildable lot would be created by this combination and that, when combined with the parcel which contain his current single family home at TM 246, Lot 4A, Mr. Hebert would have two abutting buildable lots. Interestingly, if he removed the current residence at TM 246, Lot 4A, Mr. Hebert could also gain two buildable lots by merging all seven of his currently owned parcels and sub-dividing out two new lots without acquiring any of the City-owned land.

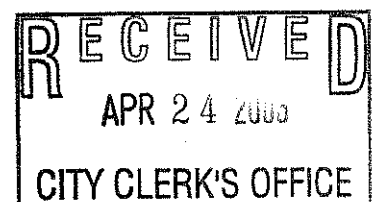
In discussing this matter at a previous meeting, a Committee member asked how many buildable lots could Mr. Hebert create if he were to remove his existing residence at TM246, Lot 4A, and merge all seven of his neighboring lots with the City-owned parcels. In this scenario, given the particular lot configuration, on-site steep slopes and wetlands, the R-1B zoning district's minimum lot size, frontage, side, rear, and wetland setback requirements, our calculations indicate that Mr. Hebert could create a maximum of three new buildable lots – an increase of one buildable lot from the two scenarios discussed above.

If there are any questions, staff will be available at the committee meeting.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning and Community Development

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Milliard Design Review Committee

March 13, 2006

Committee on Lands and Buildings
City Hall
One City Hall Plaza
Manchester, NH 03101

re: Land for Airport Access Road off Brown Avenue (TM713, Lot 1)

Honorable Committee Members:

Background: As part of their ROW acquisition for the new Airport Access Road, the New Hampshire Department of Transportation has submitted an offer to acquire a city-owned parcel of land located between the Merrimack River and Brown Avenue south of the Airport. The narrow, rectangular shaped, 0.82 acre property is about 520 feet long by 50 feet wide and is situated immediately west of a dense residential neighborhood generally consisting of Landsdown, Charlotte, Calvert, Ellingwood and Almeda Streets and Brown Avenue. This property's primary importance to the City is that (a) it acts to provide for the natural protection of the riverbank between Brown Avenue and the river, and (b) it provides neighborhood residents with immediate pedestrian access to the edge of the river with excellent views over and beyond that waterway.

Surplus Determination: For the reasons cited above, we would typically not advise disposing of city-owned lands situated along a major waterway. In the present case, however, our opinion is that if, after acquisition by the state, the public were to still be allowed access to the subject parcel, then the impact of its disposition would be greatly mitigated and we would, in this unique instance, recommend that it be determined to be surplus to city needs.

Method of Sale: Normal disposition would be by public sale. In this situation, however, given the broader public transportation need which the state is seeking to satisfy via their acquisition of the subject parcel, and given that the state could obtain the land by adverse possession, the Committee may find suitable public purpose for selling the property to the state.

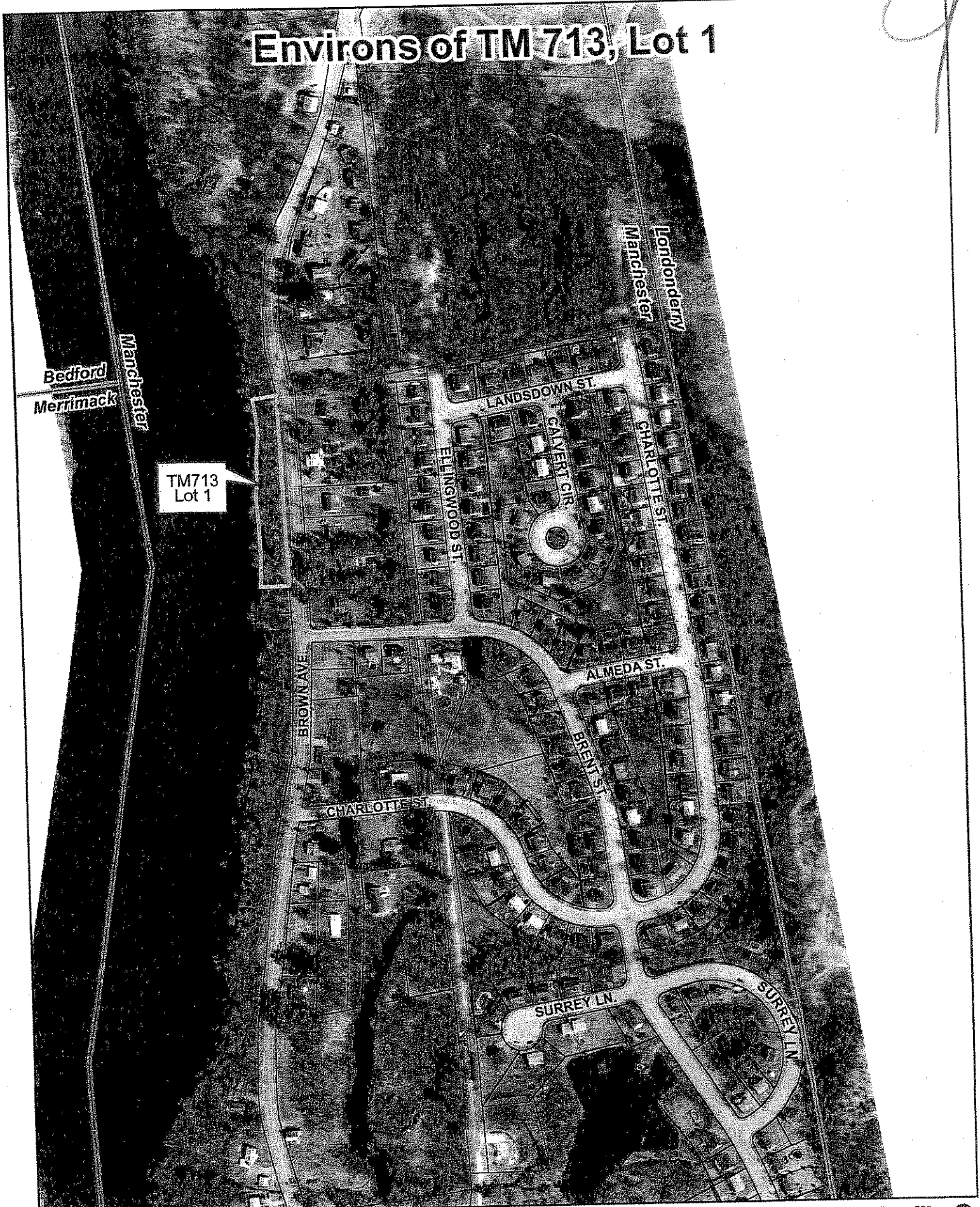
If there are any questions, staff will be available at the committee meeting.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning and Community Development

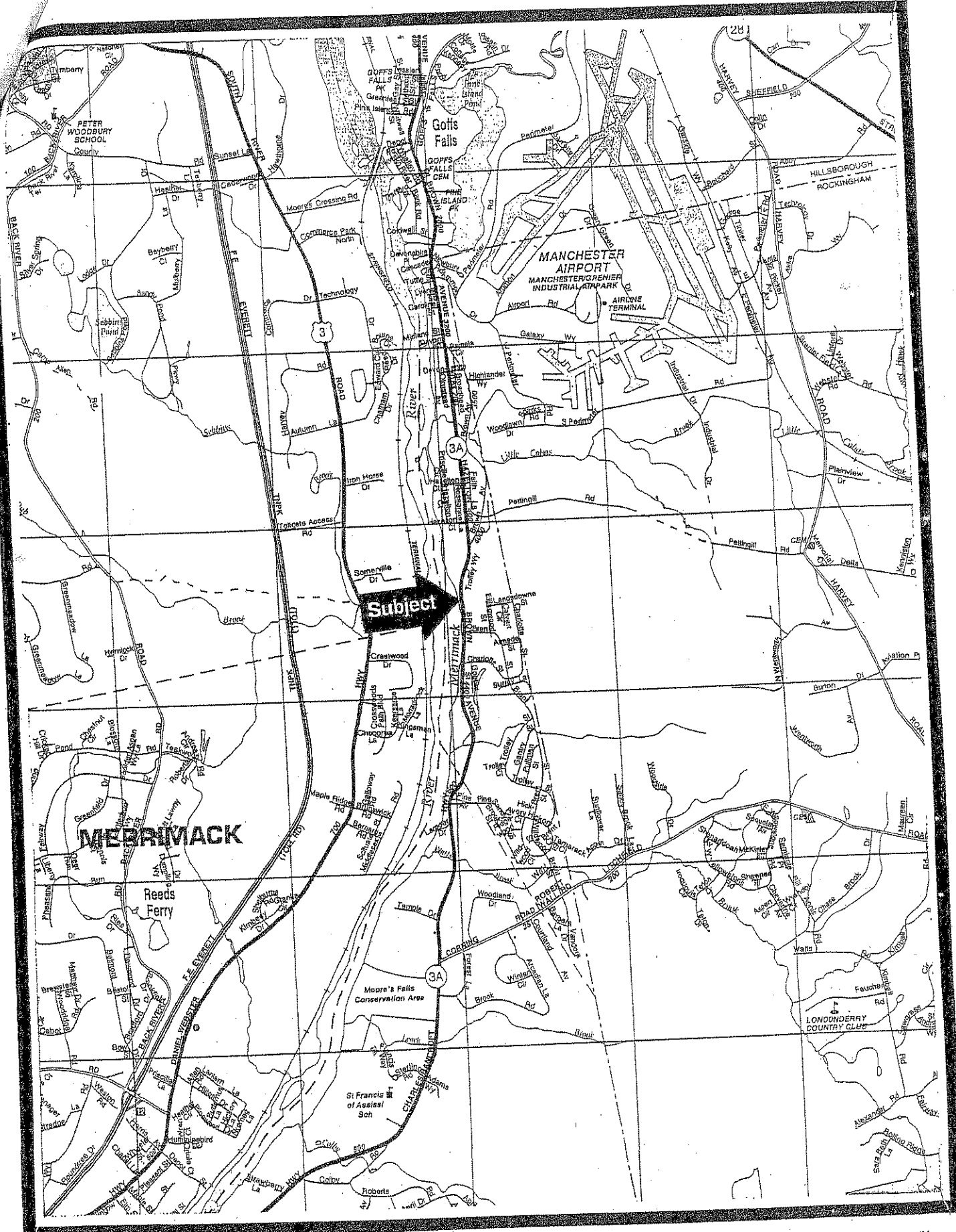
One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov

Environs of TM 713, Lot 1



TM713
Lot 1

9



Neighborhood Map



**City of Manchester
Office of the City Solicitor**

One City Hall Plaza
Manchester, New Hampshire 03101
(603) 624-6523 Fax (603) 624-6528
TTY: 1-800-735-2964
Email: solicitor@ci.manchester.nh.us

Thomas R. Clark
City Solicitor

Thomas I. Arnold, III
Deputy City Solicitor

Daniel D. Muller, Jr.
~~Kenneth R. Bernard~~
Michele A. Battaglia
~~Marc van Zanten~~

November 9, 2005

Leo R. Bernier, City Clerk
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: **Bedford-Manchester-Londonderry-Litchfield-Merrimack DPR-F-0047(001), 11512**
Manchester Airport Access Road
55,158-815

Dear Leo:

Enclosed please find a copy of a letter dated October 28, 2005, addressed to Joan Porter, Tax Collector from William Dusavitch, Right-of-Way Agent for the State Department of Transportation for referral to the aldermen for their consideration.

If you have any questions, please feel free to contact me.

Very truly yours,

Thomas R. Clark

Thomas R. Clark
City Solicitor

TRC/hr
Enclosure

IN BOARD OF MAYOR & ALDERMEN

DATE: November 15, 2005

ON MOTION OF ALD. Roy

SECONDED BY ALD. DeVries

refer to the Committee
VOTED TO on Lands and Buildings.

Dan H. Kang
CITY CLERK
Deputy

2005-165



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



CAROL A. MURRAY, P.E.
Commissioner

JEFF BRILLHART, P.E.
Assistant Commissioner

October 28, 2005

RECEIVED

NOV 01 2005

CITY SOLICITOR'S OFFICE

City of Manchester
1 City Hall Plaza
Manchester, NH 03101-2097
Attn: Joan Porter, Tax Collector

**Re: Bedford-Manchester-Londonderry-Litchfield-Merrimack DPR-F-0047(001), 11512
Manchester Airport Access Road
55,158- 815**

Dear Ms. Porter:

As you may know, the New Hampshire Department of Transportation has proposed improvements to the transportation system in the vicinity of the Manchester Airport. As part of this effort, property owned by the City of Manchester is being affected by the proposed construction and its mitigation.

At this time I wish to introduce myself as the individual responsible for coordinating and accomplishing the acquisition of the property rights needed to allow this construction to occur. The Bureau of Right of Way will also be contacting other owners whose property is affected by this project.

As part of this project, the Department needs to acquire the following property from the City of Manchester for this construction:

0.69 acres of property.

As a basis for this offer, The Department has contracted Evergreen Appraisals to complete an appraisal to determine the value of compensation based on the impacts of the project. A copy of this appraisal is enclosed for your review.

Using this appraisal, the Department offers the sum of \$27,000 for the purchase of the above mentioned property in fee. Should you find the offer acceptable, please sign the appropriate Offer & Agreement form enclosed and return the white copy to me at the Right-of-Way Bureau using the enclosed self addressed stamped envelope. The yellow copy is for your records. I will prepare the appropriate documents for your signature and request the check for payment be prepared. Once these are ready, I will contact you regarding the actual signing of the documents and delivery of the payment. However, if the offer is unacceptable, please contact me as soon as possible to discuss your concerns.

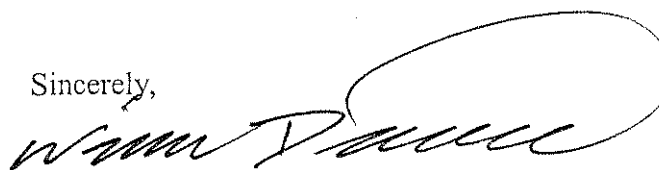
For your records I have also enclosed a booklet entitled "Public Projects and Your Property". In addition, an IRS Real Estate Transaction Report is enclosed for providing information to the Internal

Revenue Service regarding this sale. It would be appreciated if you would please complete this IRS form and return it to me in the enclosed envelope.

If you feel that you would prefer to meet and discuss this project and its effects to the property, please feel free to contact me. I would be glad to schedule a meeting with you to answer any questions you may have regarding this project and the offer of compensation. For your convenience I have enclosed my business card. You may call me "collect" at (603) 271-3222 between the hours of 7:30 AM and 3:00 PM. A message can also be left on my voice mail by calling 271-8350 anytime.

I appreciate your taking the time to review this information and to consider the Department's offer. I am optimistic that we will be able to reach an agreement regarding this acquisition. I look forward to hearing from you.

Sincerely,



William J. Dusavitch,
Right-of-Way Agent

Bureau of Right-of-Way
JOM Building Room 204
PO Box 483, 1 Hazen Drive
Concord, NH 03302-0483
Tel: (603) 271-3222 Fax: (603) 271-6915

OFFER – AGREEMENT

Limited/Controlled access: No

LAND FILE/PARCEL #: 55,158 - 0815

NAME: CITY OF MANCHESTER

ADDRESS: 908 ELM ST, MANCHESTER, NH 03101

I/WE agree to accept **Twenty Seven Thousand Dollars (\$27,000.00)** in full satisfaction for all the damages occasioned by the required taking for highway purposes, with all the rights of access, air, light and view appurtenant thereto, and to execute when tendered, a deed/an easement/right of entry to the State of New Hampshire for land affected by said highway as shown on a plan entitled **BEDFORD-MANCHESTER-LONDONDERRY-MERRIMACK DPR-F-0047(001) 11512** of the Department of Transportation.

I/We certify that I/we own said land subject only to mortgage/lien to: NONE

PROPERTY TAXES: I/We further understand that I am/we are entitled to a pro-rata payment for taxes and expenses for the transfer of the property.

ACQUISITION: 0.69+- OF AN ACRE RESIDENTIAL LAND

IN CONSIDERATION OF THE ABOVE THE STATE SHALL ALSO AGREE TO THE FOLLOWING:

RELOCATION: Eligible for a replacement housing payment? No

You are eligible for a replacement housing payment up to a maximum of **\$0.00**. This amount is to be paid only if this sum or a portion thereof is actually spent over and beyond the total award to purchase decent, safe and sanitary housing.

| | |
|-------------------|--------------------|
| Award for Taking: | \$27,000.00 |
| Severance Damage: | \$0.00 |
| Total Award: | \$27,000.00 |

This award is based on a review and analysis of an appraisal of the property made by a qualified appraiser.

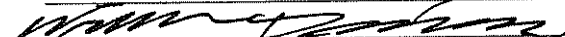
NO OBLIGATIONS OTHER THAN THOSE SET FORTH HEREIN WILL BE RECOGNIZED. For THE STATE OF NEW HAMPSHIRE (Subject to the approval of Governor and Council) By:

Member: _____

Owner: _____

Member: _____

Owner: _____

Clerk: 

Date: _____



CITY OF MANCHESTER

Manchester Economic Development Office



10

November 9, 2005

Honorable Board of Mayor and Aldermen
C/o City Clerk
One City Hall Plaza
Manchester NH 03101

Honorable Members of the Board:

As you know, the Manchester School District has moved its headquarters from Ash Street School to the Millyards. In anticipation of the district returning the building to the City, discussions with Amoskeag Industries regarding the reuse of the property have been convened. The building was constructed by the City of Manchester. Reverter rights to the underlying land are held by Amoskeag Industries.

These discussions found that the highest and best use of this visible property along Bridge Street, a gateway arterial on the edge of the Downtown District, would be a landscaped, historic headquarters office facility. It was recommended that covenants requiring that the historic structure and grounds be enhanced and preserved be established. There appears to be private interest in this property for this use. To accomplish this purpose, the property could be marketed and sold competitively with the proceeds shared by the City of Manchester and Amoskeag Industries in accordance with their respective interest in the property. To this end, Amoskeag Industries is securing an appraisal for the parcel.

Further, it was suggested that the Manchester Development Corporation (MDC) might be equipped to market the property for private purchase and restoration and the MDC Board expressed an interest in doing so if requested by the Board of Mayor and Alderman (BMA). To date, the city has not received notice from the School District turning the building over to the City. We will keep the BMA apprised of actions and await the BMA's direction with regard to re-use of this property.

Sincerely,

Paul J. Borek
Director

IN BOARD OF MAYOR & ALDERMEN

DATE: November 15, 2005

ON MOTION OF ALD. Thibault

SECONDED BY ALD. DeVries

VOTED TO refer to the Committee on
Lands and Buildings.

Paul J. Borek
CITY CLERK

RECEIVED
MANCHESTER CITY CLERK

Manchester School District
School Administrative Unit No. 37
286 Commercial Street, Manchester, NH 03101
Tel: 603.624.6300 • Fax: 603.624.6337

RECEIVED

DEC 20 2005

'05 DEC 20 A10:27

Michael Ludwell, Ph.D.
Superintendent of Schools

CITY SOLICITOR'S OFFICE


Henry J. Aliberti Jr., Ed.D.
*Assistant Superintendent
Elementary Education*

Frank G. Bass, Ph.D.
*Assistant Superintendent
Secondary Education*

Karen G. Burkush
*Assistant Superintendent
Student Services*

William E. Sanders
Chief Financial Officer

TO: Thomas Arnold
Deputy City Solicitor

FROM: William Sanders
Chief Financial Officer 

DATE: December 19, 2005

SUBJECT: Ash Street Building

This letter serves to advise that on December 12, 2005 the Board of School Committee passed the attached resolution related to returning the Ash Street School to the City of Manchester. Attached is a letter from the School Board Clerk regarding the matter.

Please advise what additional information or documentation, if any, is required to complete this process.

Cc: Michael Ludwell, Ph.D., Superintendent
Board of School Committee
Mr. Tim Clougherty
Mr. Kevin Sheppard
Mr. Frank Thomas

BOARD OF MAYOR & ALDERMEN

DATE: January 17, 2006

ON MOTION OF ALD. Long

SECONDED BY ALD. Osborne

VOTED TO refer to the Committee on Lands
and Buildings and forward letter
to School Board.


CITY CLERK

Manchester School District

School Administrative Unit No. 37
286 Commercial Street, Manchester, NH 03101
Tel: 603.624.6300 • Fax: 603.624.6337

10

Michael Ludwell, Ph.D.
Superintendent of Schools

Henry J. Aliberti Jr., Ed.D.
*Assistant Superintendent
Elementary Education*

Frank G. Bass, Ph.D.
*Assistant Superintendent
Secondary Education*

Karen G. Burkush
*Assistant Superintendent
Student Services*

William E. Sanders
Chief Financial Officer

TO: William Sanders
Chief Financial Officer

FROM: Suzanne Sears 
School Board Clerk

DATE: December 15, 2005

SUBJECT: Ash Street Building

At the Board of School Committee meeting held on Monday, December 12, 2005, a motion was made and seconded to accept a minority report regarding the Ash Street School Building from the Building and Sites Committee. The motion passed by majority vote; Comm. Beaudry, Langton, and Labanaris voted in opposition to the motion.

A motion was made by Comm. Herbert and seconded by Comm. Kelley to accept the Administration's proposal that the Board return the Ash Street School Building back to the City. The motion passed by a majority vote of 9-4. Those voting in favor of the motion were Vice-Chair Stewart and Committee Members Scott, Herbert, Soucy, Gelinas, Cote, Ouellette, Kelley, and Donovan. Those voting in opposition of the motion were Committee Members Beaudry, Langton, Labanaris, and Kruse.

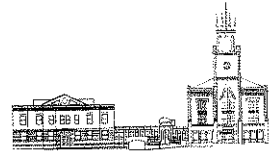


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

February 15, 2006

Committee on Land and Buildings
Honorable Board of Mayor and Aldermen
City Hall - One City Hall Plaza
Manchester, N.H. 03101

RE: *Ash Street School*

Dear Committee Members:

This is to provide a report pursuant to Section 34.20 pertaining to the above-referenced city-owned land and building.

Background: This property, located on the northeast corner of Bridge and Maple Streets, was first used as a school and then subsequently as a school administration building. School administration has since moved to another location and has determined the property surplus to their needs. The property is listed on the National Register of Historic Places. In addition, Amoskeag Industries retains reverter rights on the land portion of the property. A portion of any proceeds, therefore, would go to Amoskeag and preliminary meetings have been held in this regard.

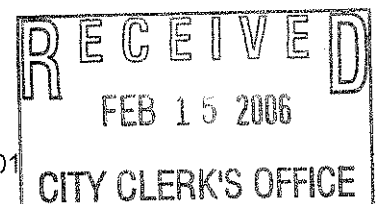
Surplus Determination and Disposition: It is the recommendation of the Planning & Community Development Department that the property is surplus to City needs and may be disposed of through public sale. We would recommend that the Board attach a condition that future uses retain the historic character of the building, given its National Register status. I would note that this would not preclude an addition to the rear or side of the building. We would also encourage (but not require) that the property on the side facing the corner of Bridge and Maple Streets be landscaped. It is expected that the best use of the property may be for commercial office and that the zoning may need to be reviewed to allow this use.

If you have any questions, our staff will be available at your meeting.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning and Community Development

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 Fax: (603) 624-6529
E-mail: planning@ManchesterNH.gov
www.ManchesterNH.gov





11

December 1, 2005

To: Mayor Baines
Mayor Elect Guinta
Dan O'Neil
Ronald Ludwig
Randy Sherman
Kevin Clougherty

From: Manchester Wolves Professional Football Organization

Re: Proposal to city for use of JFK Facility

Below is an outline of the items that our organization is requesting for the use of JFK:

The Manchester Wolves would like to use the facility from the middle of March until the end of August. The practice times are as follows:

Training Camp

1st session: 9:00-10:30am

2nd session: 11:00-12:30pm

Regular Season (Monday-Thursday, some Fridays per schedule)
6:00-9:00pm

The Manchester Wolves would like as part of our package from the city the following:

- We will need approximately 12 people to install and remove the field system. We have requested the Verizon Wireless Staff to help.
- A weather-proof storage facility for the field system.
- Access to locker rooms and showers as well as a locked and secure area to store equipment.
- Parking at JFK.



848 Elm Street, Suite 203 • Manchester, NH 03101
PH: 603.627.9653 • Fax: 603.625.9419 • manchesterwolves.com

- A PROUD MEMBER OF THE ARENA FOOTBALL FAMILY -



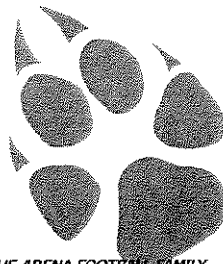


The Manchester Wolves will be responsible for the following:

- We will purchase a field system to be placed in the rink at JFK.
- We will sell and manage all advertising for JFK and the West Side Arena for the city of Manchester (potentially 72 signs at each facility).
- We will cover all production costs for signage.
- The city would have use of the field when not occupied by the team for their city-run programs
- The city has the right to decline any signs that do not adhere to "family entertainment".
- A rental fee of \$17,000 per year will be paid to the city of Manchester.

By agreeing to these terms, the city of Manchester grants to the Manchester Wolves the rights to sell and manage all signage at JFK and West Side Arena for the term of five (5) years.

Angelo Mazzella
General Manager
Manchester Wolves
(603) 627-9653



848 Elm Street, Suite 203 * Manchester, NH 03101
PH: 603.627.9653 * Fax: 603.625.9419 * manchesterwolves.com

- A PROUD MEMBER OF THE ARENA FOOTBALL FAMILY -



Johnson, Carol

From: Ludwig, Ron
Sent: Wednesday, March 15, 2006 7:47 AM
To: Johnson, Carol
Subject: Comt. on L & B/Wolves Request

Carol,

I got your phone message relative to the above. First of all I'm not certain how that request even got to any committee. I think Angelo Mazola (cksp), Wolves General Manager, sent it to CIP and then CIP moved it to L & B?? Anyway after discussions with Finance and the Mayors Office, the Wolves decided to withdraw their request for usage of the JFK. This was due to the uncertainty that the JFK **could** be under major renovations for the majority of their season???

Hope this helps.

Ron.

3/15/2006